

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE TITLE: Division of Cultural Affairs
 RULE NO.: IT-1.001

PURPOSE AND EFFECT: The purpose of this amendment is to establish in rule the most recent eligibility and evaluation criteria.

SUBJECT AREA TO BE ADDRESSED: Cultural Facilities Program eligibility and evaluation criteria.

SPECIFIC AUTHORITY: 265.284(5)(d), 265.286(1), 265.2861(2)(b), 265.701(4) FS.

LAW IMPLEMENTED: 215.97, 265.284, 265.286, 265.2861, 265.701, 286.011, 286.12, 286.25 FS.

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

TIME AND DATE: 9:30 a.m., Monday, April 14, 2003
 PLACE: Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Valerie Ohlsson, (850)245-6485.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Downey, Bureau Chief, Grants Services, Division of Cultural Affairs, The Capitol, Tallahassee, Florida 32399-0250

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

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE TITLE: Division of Cultural Affairs
 RULE NO.: IT-1.001

PURPOSE AND EFFECT: The purpose of this amendment is to establish in rule the most recent eligibility and evaluation criteria.

SUBJECT AREA TO BE ADDRESSED: Regional Cultural Facilities Program eligibility and evaluation criteria.

SPECIFIC AUTHORITY: 265.284(5)(d), 265.286(1), 265.2861(2)(b), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 265.284, 265.286, 265.2861, 265.702, 286.011, 286.012, 286.25 FS.

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

TIME AND DATE: 9:00 a.m., Monday, April 14, 2003
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Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Valerie Ohlsson, (850)245-6485.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Linda Downey, Chief, Bureau of Grant Services, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES: Standards
 RULE NOS.: 5F-2.001

Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology (NIST) Handbook 44 5F-2.014

PURPOSE AND EFFECT: The purpose of Rule 5F-2.001, F.A.C., is to adopt the 2003 edition of the chemical and physical standards set forth in the American Society for Testing and Materials. These standards will be used for quality testing of regulated petroleum products. The effect will be that the Department will use the most recent nationally recognized standards for petroleum products developed by a consensus organization. The purpose of Rule 5F-2.014, F.A.C., is to adopt the 2003 edition of NIST Handbook 44 which contains specifications and testing criteria for liquid and vapor measuring devices. The effect will be the incorporation of the most recent specifications and testing criteria of measuring devices developed by a consensus organization.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 5F-2.001, F.A.C., will specify that the most recent Annual Book of ASTM Standards is the accepted standard for implementation of Chapter 525, F.S. Proposed Rule 5F-2.014, F.A.C., will specify that the 2003 version of NIST Handbook 44 is the accepted standard for implementation of Chapter 525, F.S.

SPECIFIC AUTHORITY: 525.037, 525.14, 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 525.01, 525.037, 525.07, 525.14, 525.16, 531.40 FS.

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

TIME AND DATE: 10:00 a.m., Monday, April 14, 2003

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions may be made by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in the American Society for Testing and Materials designation D4814-02 ~~D4814-01a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D4814-02 ~~D4814-01a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(2) Kerosene (Kerosine). The following specifications apply to kerosene No. 1-K and No. 2-K sold or offered for sale in Florida.

(a) Standards. All kerosine No. 1-K and No. 2-K shall conform to the chemical and physical standards for kerosene No. 1-K and No. 2-K as set forth in the American Society for Testing and Materials designation D3699-02 ~~D3699-01~~, "Standard Specification for Kerosine."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D3699-02 ~~D3699-01~~, "Standard Specification for Kerosine."

(3) Diesel Fuel Oils No. 1-D and No. 2-D. The following specifications apply to diesel fuel oils No. 1-D and No. 2-D sold or offered for sale in Florida.

(a) Standards. All diesel fuel oils No. 1-D and No. 2-D shall conform to the chemical and physical standards for diesel fuel oils No. 1-D and No. 2-D as set forth in the American Society for Testing and Materials designation D975-02 ~~D975-01a~~ "Standard Specification for Diesel Fuel Oils."

Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D975-02 ~~D975-01a~~, "Standard Specification for Diesel Fuel Oils."

(4) Fuel Oils No. 1 and No. 2. The following specifications apply to fuel oils No. 1 and No. 2 sold or offered for sale in Florida.

(a) Standards. All fuel oils No. 1 and No. 2 shall conform to the chemical and physical standards for fuel oils No. 1 and No. 2 as set forth in the American Society for Testing and Materials designation D396-02a ~~D396-01~~, "Standard Specification for Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D396-02a ~~D396-01~~, "Standard Specification for Fuel Oils."

(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org>.

(a) American Society for Testing and Materials D4814-02 ~~D4814-01a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel" (~~approved November 10, 2001~~);

(b) American Society for Testing and Materials D3699-02 ~~D3699-01~~, "Standard Specification for Kerosine" (~~approved June 10, 2001~~);

(c) American Society for Testing and Materials D975-02 ~~D975-01a~~, "Standard Specification for Diesel Fuel Oils" (~~approved June 10, 2001~~);

(d) American Society for Testing and Materials D396-02a ~~D396-01~~, "Standard Specification for Fuel Oils" (~~approved June 10, 2001~~).

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, 8-15-02, _____.

5F-2.014 Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology (NIST) Handbook 44.

The general code and the codes of liquid-measuring devices, liquefied petroleum gas and anhydrous ammonia liquid-measuring devices, hydrocarbon gas vapor-measuring

devices, vehicle-tank meters, and vehicle tanks used as measures relating to specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, contained in National Institute of Standards and Technology Handbook 44, 2003 ~~2002~~ Edition ~~issued November 2002~~, published by U.S. Department of Commerce are hereby adopted by reference as rules of the Department of Agriculture and Consumer Services. Copies may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402 or at <http://ts.nist.gov/ts/htdocs/230/235/h442001.htm>.

Specific Authority 525.14, 531.40, 531.41(3) FS. Law Implemented 525.07, 531.40 FS. History—New 1-1-74, Amended 7-1-74, Repromulgated 12-31-74, Amended 4-18-75, 1-25-76, 1-17-77, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-2.14, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, 8-15-02,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES: ADOPTION OF UNIFORM PACKAGING AND LABELING REGULATION

Labeling Regulation 5F-3.001

Package Testing Procedures 5F-3.016

PURPOSE AND EFFECT: The purpose of Rule 5F-3.001, F.A.C., is to amend it to adopt the most recent national standards for packaging and labeling requirements as adopted by the National Conference on Weights and Measures and published in 2003 edition of National Institute of Standards and Technology Handbook 130. The purpose of Rule 5F-3.016, F.A.C., is to amend it to adopt the most recent national standards for package testing procedures as adopted by the National Conference on Weights and Measures and published in Fourth Edition (January 2003) of National Institute of Standards and Technology Handbook 133. Adoption of the current national standards will make Florida’s requirements uniform with the national requirements and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: Requirements for package and labeling of commodities sold in package form in Florida and the procedures for testing of such packages.

SPECIFIC AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.41(4),(13), 531.47, 531.49 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 14, 2003

PLACE: Division of Standards’ Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-3.001 Adoption of Uniform Packaging and Labeling Regulation.

The Department of Agriculture and Consumer Services hereby adopts the Uniform Packaging and Labeling Regulation promulgated by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2003 ~~2002~~ Edition, as the Rule for packaging and labeling of commodities and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2003 ~~2002~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800 or <http://ts.nist.gov/ts/htdocs/230/235/h130-01.htm>. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3) FS. Law Implemented 531.41(4), 531.47, 531.49 FS. History—New 1-1-73, Formerly 5F-3.01, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02,_____.

5F-3.016 Package Testing Procedures.

The Department of Agriculture and Consumer Services hereby adopts the National Institute of Standards and Technology (NIST) Handbook 133, “Checking the Net Contents of Packaged Goods,” Fourth Edition (January 2003) as the Rule for the procedures for testing packaged goods and commodities for net contents and incorporates said Handbook herein by this reference. A copy of NIST Handbook 133, Fourth Edition (January 2003) may be obtained from the National Conference on Weights and Measures, 15245 Shady Grove Road, Suite 130, Rockville, Maryland 20850, Phone: (240)632-9454 or <http://ts.nist.gov/ts/htdocs/230/235/h1334.htm>.

Specific Authority 531.41(3) FS. Law Implemented 531.41(13) FS. History—New 4-9-98, Amended 6-23-02,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Specifications, Tolerances and Other
 RULE NO.: 5F-5.001

Technical Requirements for Commercial Weighing and Measuring Devices

PURPOSE AND EFFECT: The purpose of this rule is to amend Rule 5F-5.001, F.A.C., to adopt the most recent national standards for weighing and measuring devices developed by the National Conference on Weights and Measures and published in the 2003 edition of National Institute of Standards and Technology Handbook 44. Adoption of the standards provides for uniformity of Florida's requirements with the national requirements to facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The requirements, including tolerances, specifications and other technical requirements for weighing and measuring devices used for commercial transactions and law enforcement use in the state.

SPECIFIC AUTHORITY: 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 531.40 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 14, 2003

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-5.001 Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices.

(1) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices adopted by the National Conference on Weights and Measures and contained in National Institute of Standards and Technology (NIST) Handbook 44, 2003 ~~2002~~ Edition, are hereby adopted as rules for the requirements for commercial weighing and measuring devices of the Department of Agriculture and Consumer Services. A copy of NIST Handbook 44, 2003 ~~2002~~ Edition, may be obtained from the Superintendent of Documents, United States Government

Printing Office, Washington, D.C. 20402, Phone (202)512-1800 or at <http://ts.nist.gov/ts/htdocs/230/235/h442001.htm>.

(2) The violation of any of the provisions of these rules and regulations is subject to the penalties and remedies provided in the Weights, Measures, and Standards Law, Chapter 531, Florida Statutes.

Specific Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02,

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Methods of Sale
 RULE NO.: 5F-7.005

PURPOSE AND EFFECT: The purpose of this rule is to adopt the most recent national standards for the methods of sales of commodities developed by the National Conference on Weights and Measures and published in the 2003 edition of National Institute of Standards and Technology Handbook 130. Adoption of the national standards will make Florida's requirements for methods of sale uniform with the national standards and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The methods of sale allowable for commodities being sold by weight, measure or count.

SPECIFIC AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.41(4), 531.45 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 14, 2003

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-7.005 Adoption of Uniform Methods of Sale.

The Florida Department of Agriculture and Consumer Services hereby adopts the Uniform Regulation for the Method of Sale of Commodities, as published by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2003 ~~2002~~ Edition, as the Rule for the method of sale for commodities, and incorporates said uniform

regulation herein by this reference. A copy of NIST Handbook 130, 2003 ~~2002~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800 or <http://ts.nist.gov/ts/htdocs/230/235/h130-01.htm>. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3),(4), 531.45 FS. Law Implemented 531.41(3),(4), 531.45 FS. History—New 1-8-90, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Cash Meals and Special Group Meals
 RULE NO.: 33-204.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete unnecessary language and to revise the reference to the agency responsible for setting the amount for meals provided to employees or volunteers.

SUBJECT AREA TO BE ADDRESSED: Meals for employees or volunteers.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 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:

33-204.005 Cash Meals and Special Group Meals.

(1) The cost of meals for employees or volunteers shall be borne by the individual being provided with the meal, except as provided in subsection (2) of this section. Employees or volunteers served meals shall be charged the predetermined amount approved by the Department of Corrections Management Services for all meals. Meals shall be purchased with cash and the employee or volunteer will sign a “Daily Meal Roster”, DC2-406, to indicate a meal was purchased and consumed by them. Persons eligible for free meals will be identified on the Daily Meal Roster by noting the words “no charge” next to the individual’s signature. Form DC2-406 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL

32399-2500. ~~Requests for forms to be mailed must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is May 21, 2000.

(2) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 1-18-89, Formerly 33-30.005, Amended 5-21-00, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Early Termination of Supervision
 RULE NO.: 33-302.111

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt a new form and make changes to a form used in conjunction with termination of probation and notification of the restoration of civil rights review process.

SUBJECT AREA TO BE ADDRESSED: Termination of Supervision.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.111 Early Termination of Supervision.

(1) through (2) No change.

(3) If the State Attorney's Office approves the recommendation, and the victim does not oppose the early termination, the officer shall prepare an Order Terminating Probation a Petition For and Termination of Probation, Form DC3-257, and a letter to the judge outlining the offender's history of supervision and reasons for recommending the early termination. Form DC3-257 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 _____ ~~November 26, 2001~~.

(4) No change.

(5) The officer shall notify the offender of the judge’s decision upon receipt of the judge’s response, and if the petition for early termination is granted, the officer will ~~review the restoration of civil rights process with the offender and provide the offender her or him~~ with a copy of Form DC3-257. If the offender was adjudicated guilty, the officer shall review the restoration of civil rights process with the offender. The officer and the offender shall sign and date Form NII-027, Notification of Restoration of Civil Rights Review Process. In

addition to Form DC3-257, the officer shall provide the offender with a termination of supervision letter and Form NII-027. Form NII-027 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 _____.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 11-26-01, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLE: Continuing Education Credit Requirements
 RULE NO.: 61G10-18.001
 PURPOSE AND EFFECT: The Board proposes to amend these rules to clarify and explain the necessary continuing education requirements.

SUBJECT AREA TO BE ADDRESSED: Approval of Continuing Education Courses.

SPECIFIC AUTHORITY: 455.2124, 481.306, 481.313 FS.

LAW IMPLEMENTED: 481.313, 553.841 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Standards of Practice
 RULE NO.: 64B8-44.007
 PURPOSE AND EFFECT: The Board proposes to review the existing text to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Standards of Practice.

SPECIFIC AUTHORITY: 468.507 FS.

LAW IMPLEMENTED: 468.516, 468.517, 468.518 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: Kaye Howerton, Executive Director, Board of Medicine, Dietetics and Nutrition Practice Council/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Nuclear Pharmacist – Continuing Education
 RULE NO.: 64B16-28.904
 PURPOSE AND EFFECT: The Board proposes the rule amendments to clarify rule text and also to update the providers of continuing education.

SUBJECT AREA TO BE ADDRESSED: Biennial continuing education requirements for renewal of licensure, and the addition of approved ACPE providers.

SPECIFIC AUTHORITY: 465.0126, 465.022 FS.

LAW IMPLEMENTED: 465.0126 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON APRIL 16, 2003 IN FT. LAUDERDALE, FLORIDA.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-28.904 Nuclear Pharmacist – Continuing Education.

(1) Proof satisfactory that a nuclear pharmacist licensed pursuant to this section has met the requirements necessary for biennial renewal of this license shall be constituted by the following:

(a) The licensee has completed no less than twenty-four (24) additional hours per biennium of coursework ~~each two year period~~ by or through a Committee-approved provider or an ACPE approved provider, instructionally designed to provide in-depth treatment of nuclear pharmacy practice with suggested matter set out in (2).

(b) No change.

(2) No change.

Specific Authority 465.0126, 465.022 FS. Law Implemented 465.0126 FS. History--New 10-28-91, Formerly 21S-28.904, 61F10-28.904, 59X-28.904, Amended _____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: Emergency Medical Services
 RULE TITLE: Apportionment of State-Approved Trauma Centers (SATCs) or State-Approved Pediatric Trauma Referral Centers (SAPTRCs) Within a Trauma Service Area (TSA)
 RULE CHAPTER NO.: 64E-2
 RULE NO.: 64E-2.022

PURPOSE AND EFFECT: To amend the current rule governing the number of State-Approved Trauma Centers or State-Approved Pediatric Trauma Referral Centers in trauma service areas using clinical criteria versus population based criteria. The amendment also revises current rule language to bring it into compliance with Section 395.402(3)(c), Florida Statutes, for there to be no more than a total of 44 state-sponsored trauma centers in the state.

SUBJECT AREA TO BE ADDRESSED: Apportionment of Trauma Centers.

SPECIFIC AUTHORITY 395.402(3) FS.

LAW IMPLEMENTED: 395.402 FS.

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

TIME AND DATE: 10:00 a.m., May 7, 2003

PLACE: Department of Health, Bureau of Emergency Medical Services, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida

TIME AND DATE: 12:30 p.m., May 9, 2003

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pam Lesley, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2733, e-mail: Pam_Lesley@doh.state.fl.us, Fax (850)921-8162

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-2.022 Apportionment of State-Approved Trauma Centers (SATCs) or State-Approved Pediatric Trauma Referral Centers (SAPTRCs) Within a Trauma Service Area (TSA).

(1) No change.

(2) The number of SATCs or SAPTRCs in each TSA shall be in accordance with the maximum ~~minimum~~ number set forth in the table below which is replicated from table 3.3 in "A Report and Proposal for Funding State-Sponsored Trauma Centers," February 1990, except as provided in this section. Each trauma service area shall have at least one Level I or Level II SATC position.

(3) through (4) No change.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.405 FS. History—New 12-10-92. Formerly 10D-66.1075, Amended _____.

NOTE: AT THE CONCLUSION OF ALL OF THE WORKSHOPS, A FINAL DRAFT OF THE PROPOSED RULE WILL BE POSTED ON THE BUREAU WEB PAGE PRIOR TO THE RULE GOING TO PUBLIC HEARING.
 P.O. B00829

**Section II
 Proposed Rules**

DEPARTMENT OF INSURANCE

RULE TITLES:	RULE NOS.:
Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and Forms	4-170.013
Homeowners Insurance Ratemaking and Rate Filing Procedures	4-170.014
Dwelling Insurance Ratemaking and Rate Filing Procedures	4-170.0141
Ratemaking and Rate Filing Procedures for Commercial Residential Insurance and All Other Lines	4-170.0142
Forms	4-170.015

PURPOSE, EFFECT AND SUMMARY: To require electronic filing of motor vehicle insurance rate filings after July 1, 2003, and to adopt updated forms.

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: 624.308, 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 624.604, 624.605, 627.062, 627.0645, 627.0651 FS.

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

TIME AND DATE: 10:00 a.m., April 22, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Greg Jenkins, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-3820

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 4-170.013 follows. See Florida Administrative Code for present text.)

4-170.013 Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and Forms.

(1) The procedures in this rule apply to all insurance rate, rule, underwriting guidelines or form filings for property and casualty insurance as defined in Sections 624.604, 624.605, 634.011(7), 634.301(4), 634.401(14), 642.015(5), 648.25(1), 635.011(1), and 627.826(1), F.S.

(2) The procedures in this rule supersede any other procedures relating to filing procedures and actuarial memoranda. All material submitted shall be legible.

(3) Filing Submittal Requirements.

(a) Complete rate, rule, underwriting guidelines, and form filings shall be submitted with the following information:

1. Form DI4-582, "Universal Standardized Data Letter," as adopted in Rule 4-170.015, F.A.C.

2. Cover letter; and

3. Explanatory memo.

(b) All filings shall:

1. Be submitted in the above order with the Universal Standardized Data Letter serving as a cover sheet;

2. Be separated into either rate/rule only or form only filings; and

3. Be separated by line of business in accordance with Rule 4-170.006, F.A.C.

(c) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group, provided the information submitted in the filing is identical for every insurer identified in the filing.

(4)The following rules also apply to the specific rate/rule filing procedures:

(a) Rule 4-170.014, F.A.C., (Homeowners);

(b) Rule 4-175.003, F.A.C., (Private Passenger Auto);

(c) Rule 4-170.0141, F.A.C., (Dwelling);

(d) Rule 4-170.0142, F.A.C., (Commercial Residential/All Other Property & Casualty).

(5) The Office maintains voluntary checklists for insurers' information in properly complying with relevant statutes and rules. The completion of checklists does not preclude the Office from requiring additional information or further explanation of data. Filing checklists are for insurer information only.

(6)(a) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(b) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(c) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.604, 624.605, 627.062, 627.0645, 627.0651 FS. History—New 3-30-92, Amended 3-9-93, 8-23-93, 10-3-94, 8-3-95, 10-2-96, _____.

(Substantial rewording of Rule 4-170.014 follows. See Florida Administrative Code for present text.)

4-170.014 Homeowners Insurance Ratemaking and Rate Filing Procedures.

(1) This rule shall apply to all homeowners insurance rates filed pursuant to Section 627.062, F.S. For purposes of this rule, reference to homeowners insurance shall include mobile homeowners insurance written on homeowners type policies and mobile homeowners insurance written on auto physical damage type policies.

(2) Homeowners and Mobile Homeowners Filing Submittal Requirements:

(a) Complete rate, rule, rate/rule and underwriting guidelines shall be submitted with the following information:

1. Form DI4-582, "Universal Standardized Data Letter," as adopted in Rule 4-170.015, F.A.C.;

2. Cover letter; and

3. Explanatory memorandum.

(b)1. Each insurer writing homeowners insurance, including mobile homeowners insurance written on homeowners type policies and mobile homeowners insurance written on auto physical damage type policies, in Florida shall file electronically with the Office such information as required by the Office by using the computer software provided to insurers by the Office.

2. Insurers may electronically submit their rating data by completing their filing on-line through the Office's Internet Filing System (IFS) and the Rate Collection System (RCS) at <https://iportal.fldfs.com> or by utilizing the Homeowners Rate Collection System (HRCS) software provided to insurers by the Office on its web site.

(c) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(d) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(e) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

(f) All filings shall be separated by line of business in accordance with Rule 4-170.006, F.A.C.

(g) All manual pages shall be formatted in compliance with subsection 4-170.006(3), F.A.C.

(3) Any submission which is not completed according to the above referenced instructions, or is missing any of the properly completed forms, including supporting documentation, shall not constitute a filing pursuant to Section 627.062, F.S., and shall be returned to the insurer as "incomplete".

(4) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group provided the information submitted in the filing is identical for every insurer identified in the filing.

(5)(a) The submission of data outlined on the homeowners and mobile homeowners checklist does not preclude the Office from requiring additional information or further explanation of data.

(b) The insurer shall submit any required additional information or further explanation of data by a date certain stated in a clarification letter, to allow the Office sufficient time to perform a proper review.

(c) Failure to correct the deficiencies by the date stated in the clarification letter will result in a notice of intent to disapprove the filing by the Office.

(6)(a) Each rate filing shall contain either:

1. Separate rate level indications and support for such indications on a statewide basis for each type of homeowners policy which the insurer writes in Florida; or

2. If a series of homeowner types of policies bear a uniform statewide factor relationship to each other, combined rate level indications and support for such indications on a statewide basis for the total program along with supporting data for the proposed factor relationships between each type of policy.

(b)1. The provisions of this subsection shall apply to all rate filings regardless of whether a filing requests rate changes for one, more than one, or all of the types of policies written.

2. This subsection shall not apply if:

a. A rate change is filed in response to law changes which relate to specific types of policies; or

b. A rate change is filed in response to specific factual developments or circumstances that are reasonably expected to affect only certain types of policies for which the changes are filed.

(7)(a) Each rate filing which changes base rates as to any policy for which rates vary by territory shall contain either:

1. Separate support by territory for each type of homeowners policy for which a proposed rate change is filed; or

2. If a series of homeowners types of policies include identical territory relativities, support by territory for all types of policies combined.

(b) The provisions of this subsection shall apply to each territory regardless of whether the rate filing requests rate changes for one, more than one, or all territories.

(8) The earned premiums and incurred losses included in the rate level indications shall be direct calendar/accident year or direct fiscal/accident year, Florida-only data. Any other data which the insurer believes to be pertinent to the filing may also be provided.

(9) The following forms, as adopted in Rule 4-170.015, F.A.C., are included in the Homeowners Rate Filing Collection Systems provided by the Office:

(a) Form DI4-1102, "Florida Homeowners Rating Examples/Annual Rates";

(b) Form DI4-1103, "Florida – Statewide Rate Level Effect/Homeowners", with its instructions; and

(c) Form DI4-1104, "Florida – Rate Level Effect by Type by Territory/ Homeowners", with its instructions.

(10) The expense factors in each homeowners rate filing shall be divided into the following categories:

(a) Commissions and brokerage;

(b) Other acquisition expenses;

(c) General expenses;

(d) Premium taxes;

(e) Miscellaneous licenses and fees;

(f) Reinsurance costs; and

(g) Other expenses.

(11) The cost of reinsurance shall be included as an expense factor and shall consider:

(a) The amount to be paid to the reinsurer;

(b) Ceding commissions to be paid to the insurer by the reinsurer;

(c) Expected reinsurance recoveries; and

(d) Other relevant information specifically relating to cost such as a retrospective profit sharing agreement between the insurer and the reinsurer.

(12) The use of contingent commissions as supporting data for rate changes is prohibited unless:

(a) There is a contractual arrangement between the insurer and its agents concerning the payment of contingent commissions; and

(b) The insurer demonstrates that it is not paying contingent commissions from profits higher than anticipated in its filings.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0645 FS. History--New 8-23-93, Amended 10-3-94, 10-2-96, 3-31-98, 1-25-99, _____.

(Substantial rewording of Rule 4-170.0141 follows. See Florida Administrative Code for present text.)

4-170.0141 Dwelling Insurance Ratemaking and Rate Filing Procedures.

(1) This rule shall apply to all dwelling fire and extended coverage insurance rates filed pursuant to Section 627.062, F.S. For purposes of this rule, reference to dwelling fire insurance shall include mobile home dwelling insurance written on dwelling fire type policies.

(2) Dwelling Fire and Extended Coverage Insurance Filing Submittal Requirements:

(a) Complete rate, rule, rate/rule and underwriting guidelines shall be submitted with the following information:

1. Form DI4-582, "Universal Standardized Data Letter," as adopted in Rule 4-170.015, F.A.C.;
2. Cover letter; and
3. Explanatory memorandum.

(b)1. Each insurer writing dwelling fire and extended coverage in Florida shall file electronically with the Office such information as required by the Office by using the computer software provided to insurers by the Office.

2. Insurers may electronically submit their rating data by completing their filing on-line through the Office's Internet Filing System (IFS) and the Rate Collection System (RCS) at <https://iportal.fldfs.com> or by utilizing the Dwelling Rate Collection System (DRCS) software provided to insurers by the Office on its web site.

(c) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(d) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(e) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

(f) All filings shall be separated by line of business in accordance with Rule 4-170.006, F.A.C.

(g) All manual pages shall be formatted in compliance with Rule 4-170.006(3), F.A.C.

(3) Any submission which is not completed according to the above referenced instructions, or is missing any of the properly completed forms, including supporting documentation, shall not constitute a filing pursuant to Section 627.062, F.S., and shall be returned to the insurer as "incomplete".

(4) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group provided the information submitted in the filing is identical for every insurer identified in the filing.

(5)(a) The submission of data outlined on dwelling fire and extended coverage checklists does not preclude the Office from requiring additional information or further explanation of data.

(b) The insurer shall submit the required additional information or further explanation of data by a date certain stated in a clarification letter, to allow the Office sufficient time to perform a proper review.

(c) Failure to correct the deficiencies by the date stated in the clarification letter will result in a notice of intent to disapprove the filing by the Office.

(6)(a) Each rate filing shall contain either:

1. Separate rate level indications and support for such indications on a statewide basis for each type of dwelling fire and extended coverage policy which the insurer writes in Florida; or

2. If a series of dwelling fire types of policies bear a uniform statewide factor relationship to each other, combined rate level indications and support for such indications on a statewide basis for the total program along with supporting data for the proposed factor relationships between each type of policy.

(b)1. The provisions of this subsection shall apply to all rate filings regardless of whether a filing requests rate changes for one, more than one, or all of the types of policies written.

2. This subsection shall not apply if:

a. A rate change is filed in response to law changes which relate to specific types of policies; or

b. A rate change is filed in response to specific factual developments or circumstances that are reasonably expected to affect only certain types of policies for which the changes are filed.

(6)(a) Each rate filing which changes base rates as to any policy for which rates vary by territory shall contain either:

1. Separate support by territory for each type of dwelling fire policy for which a proposed rate change is filed; or

2. If a series of dwelling fire types of policies include identical territory relativities, support by territory for all types of policies combined.

(b) The provisions of this subsection shall apply to each territory regardless of whether the rate filing requests rate changes for one, more than one, or all territories.

(7) The earned premiums and incurred losses included in the rate level indications shall be direct calendar/accident year or direct fiscal/accident year, Florida-only data. Any other data which the insurer believes to be pertinent to the filing may also be provided.

(8) The following forms, as adopted in Rule 4-170.015, F.A.C., are included in the Dwelling Rate Collection Systems provided by the Office:

(a) Form DI4-1193, "Florida Dwelling Rating Examples/Annual Rates";

(b) Form DI4-1194, "Florida – Statewide Rate Level Effect/Dwelling", with its instructions; and

(c) Form DI4-1195, "Florida – Rate Level Effect by Type by Territory/Dwellings", with its instructions.

(9) The expense factors in each dwelling rate filing shall be divided into the following categories:

(a) Commissions and brokerage;

(b) Other acquisition expenses;

(c) General expenses;

(d) Premium taxes;

(e) Miscellaneous licenses and fees;

(f) Reinsurance costs; and

(g) Other expenses.

(10) The cost of reinsurance shall be included as an expense factor and shall consider:

(a) The amount to be paid to the reinsurer;

(b) Ceding commissions to be paid to the insurer by the reinsurer;

(c) Expected reinsurance recoveries; and

(d) Other relevant information specifically relating to cost, such as a retrospective profit sharing agreement between the insurer and the reinsurer.

(11) The use of contingent commissions as supporting data for rate changes is prohibited unless:

(a) There is a contractual arrangement between the insurer and its agents concerning the payment of contingent commissions; and

(b) The insurer demonstrates that it is not paying contingent commissions from profits higher than anticipated in its filings.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.062 FS. History—New 10-2-96, Amended 3-31-98, 1-25-99, _____.

(Substantial rewording of Rule 4-170.0142 follows. See Florida Administrative Code for present text.)

4-170.0142 Ratemaking and Rate Filing Procedures for Commercial Residential Insurance and All Other Lines.

(1)(a) The procedures in this rule apply to all commercial residential insurance rates filed pursuant to Section 627.062, F.S., and all other lines of property and casualty insurance as

defined in Section 624.604 and 624.605, F.S., except that this rule does not apply to workers' compensation insurance as defined in Section 624.605(1)(c), Florida Statutes.

(b) For purposes of this rule, reference to commercial residential insurance shall include insurance on the following types of risks:

1. Condominium associations;

2. Homeowners associations;

3. Apartment buildings;

4. Hotels and motels;

5. Dormitories (including sorority and fraternity houses);

6. Boarding houses; and

7. Rooming houses.

(3) Filing Submittal Requirements.

(a) Complete rate, rule, underwriting guidelines, and form filings shall be submitted with the following information:

1. Form DI4-582, "Universal Standardized Data Letter," as adopted in Rule 4-170.015, F.A.C.

2. Cover letter; and

3. Explanatory memo.

(b) All filings shall:

1. Be submitted in the above order with the Universal Standardized Data Letter serving as a cover sheet;

2. Be separated into either rate/rule only or form only filings;

3. Be separated by line of business in accordance with Rule 4-170.006, F.A.C.; and

4. All manual pages shall be formatted in compliance with subsection 4-170.006(3), F.A.C.

(c) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group, provided the information submitted in the filing is identical for every insurer identified in the filing.

(4) Any submission which is not completed according to the above referenced instructions or is missing any of the properly completed forms, including supporting documentation, shall not constitute a filing pursuant to Section 627.062, F.S., and shall be returned to the insurer as "incomplete".

(5)(a) The submission of data outlined on the property and casualty commercial lines checklist does not preclude the Office from requiring additional information or further explanation of data.

(b) The insurer shall submit the required additional information or further explanation of data by a date certain stated in a clarification letter, to allow the Office sufficient time to perform a proper review.

(c) Failure to correct the deficiencies by the date stated in the clarification letter will result in a notice of intent to disapprove the filing by the Office.

(6)(a) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(b) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(c) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

(7)(a) Each rate filing shall contain either:

1. Separate rate level indications and support for such indications on a statewide basis for each type of coverage which the insurer writes in Florida; or

2. If a series of policy types bear a uniform statewide factor relationship to each other, combined rate level indications and support for such indications on a statewide basis for the total program, together with the supporting data for the proposed factor relationships between each type of policy.

(b)1. The provisions of this subsection shall apply to all rate filings regardless of whether a filing requests rate changes for one, more than one, or all of types of policies written.

2. This subsection shall not apply if a rate change is filed in response to law changes which relate to specific types of policies or if a rate change is filed in response to specific factual developments or circumstances that are reasonably expected to affect only certain types of policies for which the changes are filed.

(8)(a) If the filing adopts a rating organization's prospective loss costs, the filing shall include Form DI4-583 (pages 1 and 2), "Florida Expense Supplement Calculation of Company Loss Cost Multiplier" as adopted in Rule 4-170.015, F.A.C.

(b) An independent rate filing shall include Form DI4-595, "Florida Expense Supplement for Independent Rate Filings" as adopted in Rule 4-170.015, F.A.C.

(c) The data shall be on a direct basis.

(d) The data shall identify whether the loss data includes LAE and/or IBNR.

(9)(a) Each rate filing which changes base rates as to any policy for which rates vary by territory shall contain either:

1. Separate support by territory for each type of policy for which a proposed rate change is filed; or

2. If a series of policy types include identical territory relativities, support by territory for all types of policies combined.

(b) The provisions of this subsection shall apply to each territory regardless of whether the rate filing requests rate changes for one, more than one, or all territories.

(10) The earned premiums and incurred losses included in the rate level indications shall be accident year, Florida-only data. Any other data which the insurer believes to be pertinent to the filing may also be provided. The insurer shall provide the logical connection between such other data and the subject matter of the filing.

(11) Each rate filing shall include a direct rate based on direct expense factors for the following categories:

(a) Commissions and brokerage;

(b) Other acquisitions expenses;

(c) General expenses;

(d) Premium taxes;

(e) Other taxes, miscellaneous licenses, and fees; and

(f) Any other expenses.

(12)(a) In addition to the direct rate determined in subsection (11), an insurer may elect to include the costs of reinsurance in a rate filing.

(b) Where the insurer elects to do so, the cost of reinsurance shall consider:

1. Reinsurance contracts related to the subject matter of the filing;

2. The amount to be paid to the reinsurer;

3. Ceding commissions to be paid to the insurer by the reinsurer;

4. Expected reinsurance recoveries; and

5. Other relevant information specifically relating to cost such as a retrospective profit sharing agreement between the insurer and the reinsurer.

(13) Each insurer shall include in its rate filings:

(a) A separate exhibit listing that portion of the final rates/premium allocated to conflagration, hurricane, or other catastrophe hazards.

(b) An estimate of the total dollar amount allocated to such conflagration, hurricane, or other catastrophe hazards for the 12 month period beginning with the effective date of the applicable filing.

(c) A rate filing for residential property insurance shall be separated into 2 components, rates for:

1. Hurricane coverage; and

2. All other coverages.

(14) The use of contingent commissions as supporting data for rate changes is prohibited unless:

(a) There is a contractual arrangement between the insurer and its agents concerning the payment of contingent commissions; and

(b) The insurer demonstrates that it is not paying contingent commissions from profits higher than anticipated in its filings.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.062, 624.604, 624.605 FS. History--New 10-2-96, Amended _____.

4-170.015 Forms.

The following forms are hereby adopted and incorporated by reference:

(1)(a) DI4-582, "Universal Standardized Data Letter," (Rev. 02/02).

(b) Form DI4-583, "Florida Expense Supplement Calculation of Company Loss Cost Multiplier," (Rev. 6/96).

(c) Form DI4-595, "Florida Expense Supplement for Independent Rate Filings," (Rev. 6/96).

(d) Form DI4-1102, "Florida Homeowners Rating Examples/Annual Rates," (Rev. 6/96).

(e) Form DI4-1103, "Florida - Statewide Rate Level Effect/Homeowners," with its instructions, (Rev. 6/96).

(f) Form DI4-1104, "Florida - Rate Level Effect by Type by Territory/ Homeowners," with its instructions, (Rev. 6/96);

(g) Form DI4-1193, "Florida Dwelling Rating Examples/Annual Rates," (Rev. 6/96);

(h) Form DI4-1194, "Florida - Statewide Rate Level Effect/Dwelling," with its instructions, (Rev. 6/96);

(i) Form DI4-1195, "Florida - Rate Level Effect by Type by Territory/Dwellings," with its instructions, (Rev. 6/96);

(2) All Office of Insurance Regulation forms may be obtained from:

(a) The Department's web site located at <https://www.fldfs.com>; or

(b) The Bureau of Property and Casualty Forms and Rates, Division of Insurer Services, Office of Insurance Regulation, Larson Building, Tallahassee, FL 32399-0330, (850)413-3146.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0645 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Greg Jenkins, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shirley Kerns, Chief, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 13, 2002

DEPARTMENT OF INSURANCE

RULE TITLE: Motor Vehicle Insurance Ratemaking and Rate Filing Procedures
 RULE NO.: 4-175.003

PURPOSE, EFFECT AND SUMMARY: To require electronic filing of motor vehicle insurance rate filings after July 1, 2003, and to adopt updated forms.

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: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0651 FS.

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

TIME AND DATE: 10:00 a.m., April 22, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Greg Jenkins, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-3820

THE FULL TEXT OF THE PROPOSED RULE IS:

4-175.003 Motor Vehicle Insurance Ratemaking and Rate Filing Procedures.

(1) This rule shall apply to all motor vehicle insurance rates filed pursuant to Sections 627.062 and 627.0651, F.S. Florida Statutes, except for provisions which are specifically limited to private passenger motor vehicle insurance rates.

(2) Motor Vehicle Insurance Rate Filing Submittal Requirements.

(a) Complete rate, rule, rate/rule and underwriting guidelines shall be submitted with the following:

1. Form DI4-582, "Universal Standardized Data Letter", as adopted in Rule 4-170.015, F.A.C.;

2. Cover letter; and

3. Explanatory memorandum.

(b)1. Each insurer writing motor vehicle insurance in Florida shall file electronically with the Office such information as required by the Office.

2. Private passenger motor vehicle insurers may electronically submit their rating data by completing their filing on-line through the Office's Internet Filing System (IFS) and the Rate Collection System (RCS) at <https://www.iportal.fldfs.com> or by utilizing the Automobile Rate Collection System (ARCS) software provided to insurers by the Office on its web site.

(c) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(d) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(e) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://www.iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

(f) All filings shall be separated by line of business in accordance with Rule 4-170.006, F.A.C.

(g) All manual pages shall be formatted in compliance with subsection 4-170.006(3), F.A.C.

(h) All filings shall identify by program the percentage of policies written on a six month and annual policy term.

(a) The procedures in this rule supersede any other procedures relating to filing procedures and actuarial memoranda. Each insurer writing private passenger automobile insurance in Florida shall file electronically with the Department such information as required by the Department by using the computer software provided to insurers by the Department. Any other information required by the Department that is not included in the computer software shall be provided by the insurer as set forth in this rule. All material submitted shall be legible. A filing which is illegible, incomplete, or not properly formatted will be returned unprocessed. All filings that require rate level indications shall:

1. Include a summary letter and explanatory memorandum;

2. Include a properly completed Form DI4-582 (Page 1), "Florida Department of Insurance/Property and Casualty/Rates & Forms Filing Transmittal," (Rev. 6/96) as incorporated in 4-170.013(3)(a)1.;

3. Include a properly completed Form DI4-582 (Page 2), "Florida Department of Insurance/Property and Casualty Lines (excluding Workers' Compensation) Rate, Rule, or Form Filings," (Rev. 6/96) as incorporated in 4-170.013(3)(a)1.;

4. Include a properly completed Form DI4-582 (Page 3), "Florida Department of Insurance/Property and Casualty Lines (excluding Workers' Compensation) Rate, Rule, or Form Filings - Homeowners and Mobile Homeowners Rates," (Rev. 6/96) as incorporated in 4-170.013(3)(a)1.;

5. Be addressed through the U.S. postal service to: Property and Casualty Forms & Rates, Post Office Box 7700, Tallahassee, FL 32314-7700. For delivery other than the U.S. postal service or hand delivery to: Bureau of Property and Casualty Forms & Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330;

6. Be separated by line of business in accordance with Rule 4-170.006; and

7. Include a stamped self-addressed envelope large enough to return one set of manual pages. All manual pages shall be formatted in compliance with Rule 4-170.006(3).

(i)(b) Any submission which is not completed according to the above referenced instructions or is missing any of the properly completed forms, incorporated herein by reference, with supporting documentation shall not constitute a filing pursuant to Section 627.0651, F.S., and shall be returned to the insurer as "incomplete" with an explanatory memorandum.

(3) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group provided the information submitted in the filing is identical for every insurer identified in the filing. Companies shall submit only three copies of a group filing, provided the information for each company is identical. Three copies of each filing for each company in the group are not required when the information is identical.

(4) The submission of data outlined on the motor vehicle rate/rule checklists Forms DI4-582 (pages 3-15) does not preclude the Office Department from requiring additional information or further explanation of data. The insurer shall submit the required additional information or further explanation of data by a date certain stated in the clarification letter, to allow the Office Department sufficient time to perform a proper review. Failure to correct the deficiencies by the date certain in the clarification letter will result in disapproval of the filing by the Office Department. All forms, including a WordPerfect for Windows 5.2 copy, may be obtained from the Bureau of Property and Casualty Forms & Rates, Division of Insurer Services, Department of Insurance, Larson Building, Tallahassee, FL 32399-0330, (904)922-3146.

(5) No change.

(6) If the filing adopts a rating organization's prospective loss costs, the filing shall include Form DI4-583 (pages 1 and 2), "Florida Expense Supplement Calculation of Company Loss Cost Multiplier," (Rev. 6/96) as incorporated in 4-170.013(3)(a)1.

(7) through (9) renumbered (6) through (8) No change.

(9)(10) The following forms, which are hereby adopted and incorporated by reference, are included in the private passenger rate filing software provided by the Office Department:

(a) Form DI4-575, "Florida Private Passenger Auto Rating Examples/Annual Rates," (Rev. 2/91);

(b) Form DI4-576, "Florida - Statewide Rate Level Effect/Voluntary Private Passenger Auto," with its instructions, (Rev. 2/91);

(c) Form DI4-577, "Florida - Rate Level Effect by Coverage by Territory/Voluntary Private Passenger Auto," with its instructions, (Rev. 2/91); and

(d) Form DI4-578, "Florida – Rate Level Effect for All Coverages by Territory/Voluntary Private Passenger Auto," with its instructions, (Rev. 2/91), ~~all of which are hereby adopted and incorporated by reference. Copies of the rate filing software may be obtained by writing to the Bureau of Property and Casualty Forms and Rates, Room 238, 200 East Gaines Street, Tallahassee, FL 32399-0326, or by calling (850)413-3820. This software may be reproduced at will.~~

(10) All Office of Insurance Regulation Forms may be obtained from:

(a) The Department's Web site located at www.fldfs.com;

or

(b) The Bureau of Property and Casualty Forms and Rates, Division of Insurer Services, Office of Insurance Regulation, Larson Building, Tallahassee, FL 32399-0330, (850)413-3146.

(11) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0651 FS. History—New 11-29-89, Amended 6-9-91, Formerly 4-57.003, Amended 11-2-92, 10-2-96, 3-31-98, 1-25-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Greg Jenkins, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shirley Kerns, Chief, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 13, 2002

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Manufactured Buildings	9B-1
RULE TITLES:	RULE NOS.:
Definitions	9B-1.002
Administration and Department Responsibilities	9B-1.003
Adoption of Model Codes	9B-1.004
Enforcement Authority	9B-1.0055
Certification of Third Party Agencies	9B-1.006
Manufacturer Certification	9B-1.007
Inspections	9B-1.0085
Design Plan and Systems Approval	9B-1.009
Component System	9B-1.0095
Alterations and Relocation	9B-1.011
Department Insignia	9B-1.016
Insignia Application and Issuance	9B-1.017
Change in Manufacturer's Status	9B-1.0211
Factory-built Schools, Plan Review	9B-1.027
Factory-built Schools, Inspections and Work Progress Reports	9B-1.028

PURPOSE, EFFECT AND SUMMARY: These rule amendments primarily account for the implementation of the Florida Building Code, effective March 1, 2002, which incorporated several provisions from the rule chapter. The duplicated provisions are eliminated from Rule Chapter 9B-1, Fla. Admin. Code. The amendments also emphasize that the third-party agencies act as agents of the State of Florida subject to the provisions of Chapter 120, F.S., by addition of a cross-reference to the statute.

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: 320.01(2)(a), 553.37, 553.37(1),(2), 553.38, 553.38(1), 553.381, 553.415, 553.72, 553.72(2) FS.

LAW IMPLEMENTED: 553.36, 553.37, 553.37(1)-(5),(8), 553.38, 553.38(1), 553.381, 553.32(1), 553.381(2), 553.415 FS.

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

TIME AND DATE: 9:30 a.m., May 14, 2003

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819-8114

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Mo Madani, Manager, Codes and Standards, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mo Madani, Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-1.002 Definitions.

For the purpose of this chapter, the following words, unless the context does not permit, shall have the meanings indicated:

(1) through (9) No change.

(10) Labeled – Shall be as defined in Chapter 2 of the Florida Building Code. Equipment bearing an inspection label of an approved testing or listing agency.

(11) through (21) No change.

(22) Residential Building – Any structure in which sleeping accommodations are provided which is not classified as an Institutional Occupancy as defined in the Florida Building Code Standard Building Code, including but not limited to, dwellings, multiple-family dwellings, hotels, motels, dormitories and lodging houses.

(23) through (24) No change.

~~(25) Factory-built School – Any building designed or intended for use as a school building which is manufactured in whole or in part at an off site facility, including prefabricated educational facilities, factory-built educational facilities and modular built educational facilities that are designed to be portable, relocatable, demountable, or reconstructible, are used primarily as classrooms or the components of an entire school and do not fall under the provisions of ss. 320.822-862, F.S.~~

~~(25)(26) No change.~~

Specific Authority 553.37(1), 553.415 FS. Law Implemented 553.36, 553.415 FS. History–New 1-17-72, Amended 2-23-75, 12-8-75, 3-1-80, 9-29-82, Formerly 9B-1.02, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01,_____.

9B-1.003 Administration and Department Responsibilities.

- (1) Forms – The following forms are hereby adopted by reference for use in administering this part. FMBP 1-00 Manufacturer Application for State Approval – 1 page
 FMBP 2-00 Agency Application for State Approval – 1 page
~~FMBP 3-00 Manufacturer’s Renewal Application – 1 page~~
~~FMBP 4-00 Agency Renewal Application – 1 page~~
~~FMBP 5-00 In-Plant Inspection Report – 1 page~~
~~FMBP 6-00 Insignia Request Form – 1 page~~
~~FMBP 7-00 Component System Insignia Request Form – 1 page~~
~~FMBP 8-00 Insignia Acknowledgment and Inspection Information – 1 page~~
~~FMBP 9-00 Reinsignia Request – 1 page~~
~~FMBP 10-00 Manufacturer Performance Monitoring Checklist – 4 pages~~
~~FMBP 11-00 Agency Performance Monitoring Checklist – 1 page~~
~~FMBP 12-00 Manufactured Building Permit Information – 1 page~~
~~FMBP 13-00 Invoice – 1 page~~
 FMBP PS-1-00 Application for School Boards
 FMBP PS-5-00 Work Performance Report
~~FMBP PS-7-00 Insignia Request Form for Factory Built Schools~~
Form: Insignia Disposition Report.

(2) Certification – The Department shall certify manufacturers and third party agencies in accordance with this rule chapter. Certifications shall be for a period of three years from the date of initial certification which shall be measured on a yearly cycle running from July 1 through June 30. The expiration date of the certification shall be measured from July

~~1 of the year that application is made.~~ All certifications, licenses and approvals granted by the Department pursuant to Rule Chapter 9B-1, F.A.C., are subject to revocation for failure to adhere to Rule Chapter 9B-1, F.A.C., the codes and standards adopted herein, or Chapter 553, F.S. Proceedings against certifications, insignia and approvals shall be in accordance with Section 120.60, F.S.

(3) No change.

(4) Testing and Evaluations of Products – Shall be in accordance with the Florida Building Code and Chapter 9B-72, F.A.C. A recognized testing organization must comply with the ISO/IEC Guide 25:990 General Requirements for the Competency of Calibration and Testing Agencies; ISO/IEC Guide 38:1983 Acceptance of Testing Agencies; 40:1983 ISO/IEC Guide for the Acceptance of Certification Bodies.

Specific Authority 553.37(1),(2) FS. Law Implemented 553.37(1),(2), 553.81 FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 11-1-84, Formerly 9B-1.03, Amended 1-1-87, 1-1-89, 3-1-92, 3-1-95, 9-7-00, 9-13-01,_____.

9B-1.004 Adoption of Model Codes.

(1) Building Code – The design and fabrication of manufactured buildings and components shall comply with the ~~technical~~ requirements of the Florida Building Code as defined in Rule 9B-3.047, F.A.C., and adopted herein by reference Standard Building Code, referenced in Rule 9B-3.047, F.A.C., including Appendix M except that Chapters 1 and 32 shall be deleted.

(2) Florida Fire Prevention Code Life Safety Code (NFPA 404) – Buildings designed and manufactured by these rules shall conform to the requirements of the Florida Fire Prevention Code Life Safety Code, referenced in ss. 633.022 and 633.025, F.S.

~~(3) Electrical Code – The design, fabrication and installation of electrical systems and equipment in or on manufactured buildings shall comply with the requirements of Chapter 553, Part II, F.S.~~

~~(4) Gas Code – The design, fabrication and installation of gas piping systems and equipment in or on manufactured buildings shall comply with the requirements of the Standard Gas Code, referenced in Rule 9B-3.047, F.A.C., except as follows:~~

~~(a) Chapter 1 shall be deleted.~~

~~(b) See paragraph (5) below.~~

~~(5) Plumbing Code – The design, fabrication and installation of plumbing systems and equipment, in or on manufactured buildings shall comply with the requirements of the Standard Plumbing Code, referenced in Rule 9B-3.047, F.A.C., except as follows: Chapter 1 shall be deleted.~~

~~(6) Mechanical Code – The design, fabrication and installation of mechanical systems and equipment, in or on manufactured buildings shall comply with the requirements of the Standard Mechanical Code, referenced in Rule 9B-3.047, F.A.C., except as follows: Chapter 1 shall be deleted.~~

~~(7) Liquefied Petroleum Gas—The design, fabrication, and installation of gas piping systems and equipment for Liquefied Petroleum Gas in or on all manufactured buildings shall comply with the requirements of Chapter 527, F.S., (NFPA 54).~~

~~(8) Model Codes—All of the standard codes listed in the above paragraphs are those published by the Southern Building Code Congress International, Inc.~~

~~(9) Energy Code—The thermal performance of manufactured buildings shall comply with the Florida Energy Efficiency Code for Building Construction referenced in Chapter 9B-13, F.A.C.~~

~~(10) Accessibility Standards—Manufactured buildings shall comply with Chapter 553, Part V, F.S.~~

~~(11) Glass Standard—The design and installation of glass in or on a manufactured building must comply with the Standard Building Code referenced in Rule 9B-3.047, F.A.C., and Chapter 553, Part III, F.S.~~

~~(3)(12) No change.~~

~~(4)(13) A copy of each of the above referenced Florida Building Code codes has been filed with the Secretary of State. The Florida Building Code is Such codes are also available for reference and inspection at the Department of Community Affairs, Manufactured Buildings Program.~~

~~(5)(14) The above shall not apply to any building exempted pursuant to Section 553.73, Part IV, F.S.~~

~~(6)(15) Notwithstanding the above, the service connections and foundations prepared at the installation site shall be regulated by the local building official according to the Florida Building Code standards adopted by that local government or state department having jurisdiction over building installation.~~

~~(7)(16) Notwithstanding the foregoing provisions of this section, factory-built schools shall be subject to the following:~~

~~(a) Existing Buildings. Factory-built schools utilized as educational facilities prior to July 1, 2001, are hereby designated as existing buildings and shall comply with the requirements of Section 423, Florida Building Code, Chapter 5, State Requirements for Educational Facilities (SREF), 1999 edition, adopted herein by reference, subject to the amendment to Section 235.212(1)(a), F.S., passed in s. 2, Chapter 2001-186, Laws of Florida. A copy of SREF can be obtained from Department of Education, Division of Educational Facilities, 325 West Gaines Street, Room 1054, Tallahassee, Florida 32399-0400.~~

~~(b) New Construction. Factory-built schools other than existing buildings shall be manufactured and installed as required by the Florida Building Code, including Section 423, Florida Building Code Chapter 7, State Requirements for Educational Facilities (SREF), 1999 edition, adopted herein by reference. A copy of SREF can be obtained from Department of Education, Division of Educational Facilities, 325 West Gaines Street, Room 1054, Tallahassee, Florida 32399-0400.~~

~~(17) Manufactured buildings, including factory-built schools, shall be subject to fire safety criteria and enforcement thereof as provided in Chapter 633, F.S., and rules adopted pursuant thereto.~~

~~Specific Authority 320.01(2)(a), 553.37(1), 553.38(1), 553.415, 553.73(2) FS. Law Implemented 553.37(8), 553.38(1), 553.415 FS. History—New 1-17-72, Amended 6-19-74, 2-23-75, 12-21-76, 3-20-79, 3-1-80, 6-24-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.04, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, _____.~~

~~9B-1.0055 Enforcement Authority.~~

~~Specific Authority 320.01(2)(a), 553.37(1), 553.38(1), 553.73(2) FS. Law Implemented 553.37(8), 553.38(1) FS. History—New 9-13-01, Repealed _____.~~

~~9B-1.006 Certification of Third Party Agencies.~~

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

~~(4) Duties and Responsibilities – Upon certification, the agency shall be entitled to conduct such plans review and inspection services for which it is qualified pursuant to these rules and shall comply with Chapter 120, F.S., and the following general duties and responsibilities.~~

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

~~(c) Upon agency's approval of plans, satisfactory inspection of a building, or both approval of plans and a building constructed in accordance with those plans, the electronic copies in a readable format on a standard compact disk of the plans as approved plans, the inspection report, or the plans and inspection report shall be transmitted to the Department through the Building Code Information System forwarded to the Department.~~

~~(d) No change.~~

~~(5) No change.~~

~~(6) Renewal – The third party agency shall renew its certification once every three years and update the information provided in its initial application using the Building Code Information System Form FMBP 3-00. The Agency will be notified electronically at least Renewal must be requested no fewer than 60 days and no more than 90 days prior to the expiration date of the manufacturer's certification. If the Third Party Agency does not complete the renewal information and submit correct fees by the certification expiration date, certification becomes null and void. If application is made for renewal fewer than 60 days prior to the expiration date, but not after the expiration date, a late fee of \$25.00 shall be charged. The Agency must meet the qualifications in effect upon the date of renewal to have its certification renewed.~~

~~Specific Authority 553.37(1), 553.38(1) FS. Law Implemented 553.37(8) FS. History—New 1-17-72, Amended 2-23-75, 12-8-75, 11-14-76, 3-23-77, 3-1-80, 9-29-82, 4-21-83, 11-1-84, Formerly 9B-1.06, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, _____.~~

9B-1.007 Manufacturer Certification.

(1) through (3) No change.

(4) Renewal – The manufacturer shall renew its certification once every three years and update the information provided in its initial application using the Building Code Information System Form FMBP 3-00. Manufacturers will be notified electronically at least ~~Renewal must be requested no fewer than 60 days and no more than 90 days prior to the expiration date of the manufacturer’s certification. If manufacturer does not complete the renewal information and submit correct fees by the certification expiration date, certification becomes null and void. If application is made for renewal fewer than 60 days prior to the expiration date, but not after the expiration date, a late fee of \$25.00 shall be charged.~~ The manufacturer must meet the qualifications in effect upon the date of renewal to have its certification renewed.

Specific Authority 553.37(1), 553.38(1), 553.381 FS. Law Implemented 553.37(8), 553.38(1) FS. History–New 1-17-72, Amended 2-23-75, 11-14-76, 3-1-80, 11-4-84, Formerly 9B-1.07, Amended 1-1-87, 1-1-89, 3-1-95, 9-7-00, 9-13-01, _____.

9B-1.0085 Inspections.

Specific Authority 553.38 FS. Law Implemented 553.38 FS. History–New 9-13-01, Repealed _____.

9B-1.009 Design Plan and Systems Approval.

(1) General. A final design plan approval shall be contingent upon compliance with these rules and the building codes specified in Rule 9B-1.004, F.A.C. The manufacturer shall submit plans for approval by the Third Party Agency. All submittals to the Third Party Agency shall be in triplicate. The Third Party Agency reviewing the plans shall notify a manufacturer of any apparent errors or omissions and request any additional information necessary to evaluate the plans submitted within thirty days of receipt of the plans. The Department shall have the authority to seek revocation of a plan approval by a Third Party Agency if, through monitoring activities, the Department discovers that the plans fail to comply with the standards adopted herein.

(2) Design Plan Submittal Approval Application. ~~Initial application to the Agency for design plan approval shall include:~~

(a) ~~Completed application forms.~~

~~(a)(b) Three C~~ompleted sets of design plans and specifications, prepared by an architect or engineer licensed to practice in the State of Florida, except as exempted by Florida law; ~~legible quality control manuals,~~ supporting calculations and any required test results for each system and prototype to be approved. Based on compliance with the codes in Rule 9B-1.004, F.A.C., the Third Party Agency’s plans examiner licensed under Chapter 468, F.S., shall approve or disapprove the manufacturer’s submittal. If the submittal is approved, the individual shall affix a stamp authorized by the Department; on each sheet, ~~the cover of the quality control manual and~~

~~supporting data in manual form.~~ Plans drawn to a scale less than 1/8" to the foot are not acceptable. Plans shall be legible for reproduction purposes.

~~(c) If the plans are for a residential manufactured building, certification from the design professional responsible for the plans that the structure has been designed only for erection or installation on a site built permanent foundation and is not designed to be moved once so erected or installed.~~

(b) If the residential manufactured building is transportable in one or more sections and is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis, the manufacturer shall certify that the manufactured building has been excluded from regulation by the United States Department of Housing and Urban Development.

(3) System Approval. The manufacturer may submit through the Third Party inspection Agency for Department approval a system of construction which may include any or all elements of building systems such as structural, mechanical, plumbing, and electrical elements or components. Such submission shall include all documents and data providing complete information necessary for evaluation of the systems’ performance and capabilities for its intended use.

~~(4) Calculations and Test Procedures.~~

~~(a) Where it is necessary to substantiate any structural design or method of construction, calculations and supporting data, signed by a Florida Licensed Architect or Professional Engineer, where required by law or the department shall be submitted to the Third Party Agency.~~

~~(b) The load-bearing capacity of elements or assemblies shall be determined in accordance with the applicable code. Tests shall be performed by a recognized testing organization that can demonstrate compliance with subsection 9B-1.003(4), F.A.C. Tests shall be directed, witnessed and evaluated by a licensed architect or professional engineer. Test procedures and results shall be reviewed and evaluated by the Third Party Agency.~~

~~(4)(5)~~ A licensed modular plan reviewer shall review each set of documents so submitted, including ~~without limitation~~ the plans, specifications and design calculations, for compliance with the appropriate code and this part and shall utilize a checklist. The plans review and the checklist utilized therewith shall at a minimum contain the following elements:

(a) For commercial buildings:

1. through (b) No change.

~~(5)(6)~~ Plan Approval Expiration – Upon revision of the building codes adopted herein, plan approvals shall expire upon ~~the latter of~~ the effective date of ~~the that~~ revisions ~~or ninety (90) days from adoption of that revision by the Florida Building Commission~~ unless the manufacturer files with the

department a sworn statement by a Third Party Agency that the plans have been reviewed and that they are in compliance with the revisions to the adopted codes.

~~(6)(7) Evidence of Third Party Agency approval. Approved plans and specifications shall be evidenced by a letter certificate from the Agency. Approved copies of the design plans and specifications shall be returned to the manufacturer with an agency approval letter indicating the limitations, if any, of such approval. An approved copy of the plans shall be available at each place of manufacture which shall be made available for inspection and monitoring. Upon approval of the plans, the Third Party Agency shall submit a copy of the plans bearing the approval stamp to the Department together with a list of any limitation of that plan approval and a separate copy of the plans and limitations on compact disk in a readable format. The Third Party Agency shall transmit plans electronically through the Building Code Information System to the Department also remit the plan filing fees established in Rule 9B-1.020, F.A.C.~~

(8) through (9) renumbered (7) through (8) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.38(1) FS. History—New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.09, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, _____.

9B-1.0095 Component System.

(1) A manufacturer may prefabricate building components such as wall, floor, or roof panels in standardized sections that are closed construction and assembled in buildings construction. These components may be certified under the Florida Manufactured Buildings Program.

(2) through (3) No change.

Specific Authority 553.37, 553.38 FS. Law Implemented 553.37, 553.38 FS. History—New 9-13-01, Amended _____.

9B-1.011 Alterations and Relocation.

(1) through (3) No change.

~~(4) Relocation of an existing manufactured building does not constitute an alteration. In order to recertify a used manufactured building that is being relocated and not otherwise altered, the owner must provide the approved inspection agency with a set of the original approved plans for the building and any modification of the building. As built plans shall be acceptable as an alternative to approved plans for factory built schools manufactured prior to July 1, 2001. Once the agency has evaluated the continued compliance of the building with those plans and certifies to the Department that the building is in compliance with the applicable codes, the approved inspection agency shall affix a recertification insignia to the building. If a building complied with the code in effect on the date of the original plan approval, the applicable code as set forth above shall be that which was in effect on the date of the original plan approval. The relocation of a manufactured building does not constitute an alteration.~~

(5) A relocated manufactured building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the 1997 Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the Florida Building Code (after March 1, 2002), the wind speed map of the Florida Building Code shall be applicable.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1),(4) FS. History—New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 11-1-84, Formerly 9B-1.11, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, _____.

9B-1.016 Department Insignia.

(1) through (11) No change.

(5) Insignias shall be ordered from the Department utilizing insignia request using the BCIS Form FMBP-6-00, FMBP-7-00 or FMBP-PS-7-00. Fees for insignia as provided in Rule 9B-1.020, F.A.C., shall be submitted at the time of the request for insignia. One insignia shall be required for each building.

(6) through (11) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1)-(5), 553.38 FS. History—New 1-17-72, Amended 9-17-73, 2-23-75, 3-1-80, 6-24-80, 9-29-82, 11-1-84, Formerly 9B-1.16, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, _____.

9B-1.017 Insignia Application and Issuance.

(1) Following the receipt of initial Department approval, the manufacturer shall complete an insignia request for an insignia for each component or system manufactured as required herein. The insignia requests shall be submitted via the Building Code Information System which shall calculate the fees based on application shall be submitted to the Department accompanied by the appropriate insignia fees as required by the fee schedule in these rules and regulations. The insignia request application shall include the plan approval number of each unit for which an insignia is required. Additionally, the manufacturer shall file via the Building Code Information System with the Department an insignia disposition report at least monthly, which indicates the model serial number, insignia number, and initial location of each unit.

(2) Insignias shall be issued to the manufacturer's Third Party inspection Agency, and shall not be affixed to a building until the inspection agency has completed the inspections required in Rule 9B-1.008, F.A.C., and found the building to be in compliance with the requirements of this chapter. If an insignia is for a modified building, after the modifications are completed and the building inspected, the original insignia shall be removed and returned to the Department by the inspection agency and the new insignia affixed.

Specific Authority 553.37(1) FS. Law Implemented 553.37, 553.38 FS. History—New 1-17-72, Amended 9-27-73, 2-23-75, Formerly 9B-1.17, Amended 1-1-87, 3-1-92, 3-1-95, _____.

9B-1.0211 Change in Manufacturer’s Status.

(1) through (2) No change.

(3) Change of agency – The following procedure shall be followed when a manufacturer changes the Third Party Agency plan review/inspection agency.

(a) through (4) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1),(4) FS. History–New 9-13-01, Amended.

9B-1.027 Factory-built Schools, Plan Review.

Specific Authority 553.415 FS. Law Implemented 553.415 FS. History–New 9-13-01, Repealed.

9B-1.028 Factory-built Schools, Inspections and Work Progress Reports.

~~(1) Inspectors. The school board or community college (educational entity) which is to utilize the factory built school shall be responsible for compliance with inspection requirements.~~

~~(2) Existing Buildings. Factory built schools designated as existing buildings shall be inspected to determine compliance with the standards adopted by paragraph 9B 1.004(16)(a), F.A.C. All deficiencies shall be noted in an inspection report provided to the educational entity upon completion of the inspection. Activities performed to rehabilitate a non-compliant building shall be subject to plan review and reinspection. Upon an inspector’s determination that the building complies with the applicable standards, the inspector shall provide to the Department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the Building Code Information System when that system becomes available on the Internet.~~

~~(3) New Construction. All buildings other than existing buildings shall be subject to inspection during the manufacturing process. The educational entity shall ensure that factory inspections are performed periodically and are sufficient to ensure that the building and its systems comply with the applicable standards. The inspector shall require the correction of all deficiencies found during the manufacturing process. Upon an inspector’s determination that the building complies with the applicable standards, the inspector shall provide to the Department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the Building Code Information System when that system becomes available on the Internet.~~

~~(1)(4) Recurring Inspections. Factory-built schools shall be inspected once each year to determine continued compliance with the applicable standards. Noncompliance shall result in the building being found unsatisfactory. Unsatisfactory findings shall be reported to the Department and identified on the Building Code Information System when that system becomes available on the Internet.~~

~~(2)(5) No change.~~

Specific Authority 553.415 FS. Law Implemented 553.415 FS. History–New 9-13-01, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mo Madani, Planning Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shirley Collins, Director, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100

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

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

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE: Florida Building Commission

RULE CHAPTER NO.: 9B-3

Operational Procedures

9B-3

RULE TITLE: Non-Binding Interpretations of the

RULE NO.: 9B-3.054

Florida Building Code

9B-3.054

PURPOSE AND EFFECT: Section 553.77(7), F.S., directs the Florida Building Commission to by rule establish an informal process of rendering nonbinding interpretations of the Florida Building Code. Rule 9B-3.054, F.A.C., will codify the procedures that govern the process for obtaining and rendering nonbinding interpretations of the Florida Building Code. The Building Officials Association of Florida (“BOAF”) is currently performing this service for the Commission under contract. The only impact of the proposed rule to current practice is to increase the amount of time allowed for a response from 14 days to a maximum of thirty days. The Department and BOAF are amending their contract to reflect the rule as proposed.

SUMMARY: Section 553.77(7), F.S., directs the Florida Building Commission to by rule establish an informal process of rendering nonbinding interpretations of the Florida Building Code and authorized implementation of this process prior to rule adoption. The rule codifies the procedures that have been developed to render nonbinding interpretations, and consists of two sections. Subsection 9B-3.054(1), F.A.C., defines terms used in the rule and subsection 9B-3.054(2), F.A.C., outlines the procedures to be followed.

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: 553.77(7) FS.

LAW IMPLEMENTED: 553.77(7) FS.

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

TIME AND DATE: 9:35 a.m., May 14, 2003

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819-8114

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Mo Madani, Manager, Codes and Standards, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mo Madani, Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-3.054 Non-Binding Interpretations of the Florida Building Code.

(1) Definitions. For purposes of this rule section:

(a) "Code" shall mean the Florida Building Code.

(b) "Commission" shall mean the Florida Building Commission.

(c) "Organization" shall mean the entity that provides the interpretation services as described in Section 553.77(7), F.S.

(2) Procedure.

(a) The Commission shall contract with the Organization to provide a system to issue non-binding interpretations of the Florida Building Code.

(b) Requests for non-binding interpretations of the Code shall be made as directed at the Building Code Information System website.

(c) The Contractor shall review the request and:

1. If the request for informal interpretation is not the correct process, so advise the requestor.

2. If the request for informal interpretation is proper, initiate a review process which solicits comments for development of a response from building code enforcement officials, industry experts, Commission staff, and the State Fire Marshall as necessary.*

(d) The association shall draft a response that is reviewed and approved by building code enforcement officials duly licensed in this State.

(e) The response shall be sent to the requestor via electronic mail within 30 days. If a response will not be sent to the requestor within 21 days of receipt, the requestor shall be so notified by electronic mail or other means.

(f) Responses shall be posted to the online database maintained by the Organization and shall be accessible from the Building Code Information System website. The responses shall create no legal duty on the part of any individual or the Commission.

* RFP says vendor shall consult with SBCCI and DCA staff and coordinate with State Fire Marshall.

Specific Authority 553.77(7) FS. Law Implemented 553.77(7) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mo Madani, Planning Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shirley Collins, Director, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100

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

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: 02-48R

RULE CHAPTER TITLE: SOVEREIGNTY SUBMERGED

RULE CHAPTER NO.: 18-21

RULE TITLES: LANDS MANAGEMENT

RULE NOS.: 18-21.003

DEFINITIONS: 18-21.004

MANAGEMENT POLICIES, STANDARDS, AND CRITERIA: 18-21.004

PURPOSE AND EFFECT: The Department of Environmental Protection and the Board of Trustees of the Internal Improvement Trust Fund have determined that springs and spring runs are natural resources of the utmost importance in the State of Florida. Springs contribute substantially to much of Floridians' drinking water. Springs and spring runs are therefore worthy of a high level of protection. The Governor recommended in his 2001 budget that the Department be appropriated \$2.5 million for the protection and restoration of springs. The Secretary of the Department created the Florida Springs Task Force, a group of sixteen representatives from federal, state, and regional agencies, universities, and the private sector, to consider the environmental, social, and economic issues associated with Florida's springs, and to recommend strategies for the protection, enhancement, and restoration of Florida's springs. One such strategy was to

implement rules to more fully protect sovereignty and state-owned springs. The Task Force's recommendations ensure the integrity and purity of these resources for the generations of Floridians to come. Language is being added to Rule 18-21.004, F.A.C., to establish specific management standards and criteria to be used when Board of Trustees staff reviews requests for authorization of activities in and at sovereignty and state-owned springs and spring runs. Definitions are also being added to Rule 18-21.003, F.A.C., to clarify what "spring" and "spring run" mean.

SUMMARY: Standards and criteria are being added to Rule 18-21.004, F.A.C., for issuance of Board of Trustees' authorization, in accordance with Chapter 253, F.S., for activities at sovereignty and state-owned springs. Definitions of "spring" in proposed subsection 18-21.003(53), F.A.C., and "spring run" in proposed subsection 18-21.003(54), F.A.C., provide what those waters are for purposes of this rule. Other definitions are renumbered. Paragraphs 18-21.004(2)(m),(n), F.A.C., are being added to address modification to the natural features of springs and the withdrawal of water from springs. Subsection 18-21.004(6), F.A.C., is being added to state what types of activities are limited or prohibited on springs and spring runs that were recommended by the Springs Task Force. These provisions prevent adding substances to springs and spring runs as well as removing or damaging natural features of springs and spring runs. These rules are prospective only and do not apply to existing authorized facilities, nor do they apply to privately owned springs.

SPECIFIC AUTHORITY: 253.03(7)(a), 253.73 FS.

LAW IMPLEMENTED: 253.03, 253.034, 253.04, 253.041, 253.141, 253.51, 253.61, 253.68, 253.72, 253.74, 253.75, 253.77 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW AND THE DEPARTMENT'S OFFICIAL INTERNET NOTICE SITE AT WWW.DEP.STATE.FL.US UNDER THE LINK TITLED "OFFICIAL NOTICES". IF NO HEARING IS REQUESTED, THE ONLY HEARING THAT WILL BE HELD WILL BE THE ADOPTION HEARING BEFORE THE BOARD OF TRUSTEES, TO BE ANNOUNCED AS STATED ABOVE AT A LATER DATE.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James A. Stevenson, Office of Environmental Services, 3900 Commonwealth Blvd., M.S. 140, Tallahassee, Florida 32399-3000, (850)245-2784 or SC 205-2784, Fax (850)245-2786 or Suncom 205-2786, e-mail: James.Stevenson@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

18-21.003 Definitions.

When used in these rules, the following definitions shall apply unless the context clearly indicates otherwise:

(1) through (52) No change.

(53) "Spring" means a point where ground water emerges onto the earth's surface, including under any surface water of the state. The term "spring" shall include karst windows where ground water is visible from the surface.

(54) "Spring run" means a body of flowing water that originates from a spring or whose primary source of water is from a spring or springs.

(53) through (57) renumbered (55) through (59) No change.

Specific Authority 253.03(7) FS. Law Implemented 253.002, 253.02, 253.03, 253.1121, 253.67, 253.77 FS. History--New 9-26-77, Formerly 16C-12.01, 16Q-17.01, Amended 3-27-82, 8-1-83, 2-25-85, Formerly 16Q-21.03, 16Q-21.003, Amended 12-25-86, 1-25-87, 3-15-90, 7-21-92, 3-20-94, 10-15-98, 8-1-01, 12-11-01, _____.

18-21.004 Management Policies, Standards, and Criteria.

The following management policies, standards, and criteria shall be used in determining whether to approve, approve with conditions or modifications, or deny all requests for activities on sovereignty submerged lands.

(1) No change.

(2) Resource Management.

(a) through (l) No change.

(m) The physical modification of a spring shall only be allowed where the board determines that such modification is necessary to restore historic spring contours or flow conditions and where it is determined not to be contrary to the public interest.

(n) The installation of facilities on sovereignty or state-owned submerged land for withdrawal of water from a spring or spring run is prohibited.

(3) through (5) No change.

(6) Standards and Criteria for Activities at Sovereignty and State-Owned Springs and Spring Runs. Entities requesting authorization or qualifying or consent by rule under Rule 18-21.005, F.A.C., to conduct activities in sovereignty or state-owned springs and spring runs shall conform to the following guidelines, design standards, and criteria, to the maximum extent practicable. The provisions of this paragraph shall be applicable to those portions of a spring run bordered by public ownership to the limit of public ownership and those portions of a spring run bordered by private property for a distance not exceed 2,000 feet downstream from a spring.

(a) The deposition of new sand or other fill in or within 100 feet of the spring or spring run to create an artificial beach area is prohibited.

(b) Planting or maintaining any plant species listed in the Florida Exotic Pest Plant Council’s “2001 Invasive Plant List.” Category I and II, which may be found on the Internet at www.fleppc.org or by writing to the Bureau of Beaches and Wetland Resources, Department of Environmental Protection, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, in or adjacent to a spring or spring run shall be prohibited.

(c) The removal or trampling of upland vegetation by humans or livestock causing erosion, sedimentation, or turbidity is prohibited on slopes draining into the spring and spring run.

(d) The removal or control of aquatic plants from the spring and spring run is prohibited except when authorized under this chapter and conducted in accordance with applicable Part I ch. 369 or Part IV ch. 373, F.S., authorizations.

(e) The entity authorized to conduct activities shall manage operations to avoid or minimize damage to native submerged aquatic plants and other natural or cultural resources in the spring or spring run from activities such as swimming area maintenance, wading, swimming, prop dredging, and anchoring and shall encourage users, such as those who access the area by boat, to do likewise.

(f) The application of fertilizers, pesticides, or other similar products in a manner that degrades water quality or adversely impacts natural resources within the spring or spring run is prohibited.

(g) The installation or modification of wastewater treatment drainfields or similar installations is prohibited on slopes draining into or within 100 yards of the spring or spring run, whichever is farther, except that single family residential on-site wastewater treatment systems shall be installed and operated so as to avoid or minimize impacts to the spring or spring run.

(h) The installation of a ditch or culvert for the direct discharge of stormwater from developed uplands into the spring or spring run shall be prohibited.

Specific Authority 253.03(7)(a), 253.73 FS. Law Implemented 253.03, 253.034, 253.04, 253.041, 253.141, 253.51, 253.61, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History—New 3-27-82, Amended 8-1-83, Formerly 16Q-21.04, 16Q-21.004, Amended 12-25-86, 1-25-87, 3-15-90, 7-21-92, 10-15-98, _____

NAME OF PERSON ORIGINATING PROPOSED RULE:
James A. Stevenson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eva Armstrong, Director, Division of State Lands

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 8, 2002

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE TITLE: Publications Incorporated by Reference
RULE NO.: 40E-2.091

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update citations to and modify the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – August 2002” (CUP BOR) to incorporate a change regarding the Upper East Coast (UEC) basin expiration date.

SUMMARY: Citations to the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – August 2002” are updated to reflect the current revision date of the CUP BOR. The UEC basin irrigation water use permits, for agricultural, golf, landscape, and nursery irrigation projects, are currently scheduled to expire on June 15, 2003. Section 1.7.2 of the CUP BOR is also changed to incorporate and extend the UEC basin expiration date for individual irrigation permits to December 15, 2003, to allow for completion of ongoing Consumptive Use rulemaking initiatives and allow for evaluation of the permit renewal applications under the revised rule.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.219, 373.223, 373.224, 272.229, 373.232, 373.233, 373.236, 373.239 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A PUBLIC HEARING WILL NOTICED IN THE FAW. (IF NOT REQUESTED, A HEARING WILL NOT BE HELD).

The procedure for requesting a hearing is governed by Rule subsection 28-103.004(2), F.A.C., as follows: A request for a public hearing must be in writing and filed with the District Clerk during normal business hours, at the address below, within 21 days of publication of this notice. The request must specify how the requestor would be affected by the proposed rule. Any affected person who fails to timely file a request for hearing waives the right to request a hearing on the proposed rule.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: For technical issues – Scott Burns (internet: sburns@sfwmd.gov), or Cecile Ross (internet: cross@sfwmd.gov), 1(800)432-2045; For procedural issues – Penelope Bell (internet: pbell@sfwmd.gov), 1(800)432-2045, or (561)682-6320, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – May 2003 ~~August 2002~~” is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, _____.

(The following represents proposed changes to the document entitled “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – August 2002” incorporated by reference in Rule 40E-2.091, F.A.C.)

The following changes are made to Chapter 1.0

1.7.2 Basin Expiration Dates

The expiration dates for Individual Irrigation Use Class Water Use Permits for projects located within the identified basins are extended as follows:

Upper East Coast	December 15, 2003 <u>June 15, 2003</u>
Lower West Coast	June 15, 2004
Lower East Coast	December 15, 2005
Kissimmee	June 15, 2007

In addition, these basin expiration dates will be applied to individual irrigation use class water use permits issued or modified under this rule. For projects crossing multiple basin boundaries, the expiration date for the permit shall be the date associated with the basin containing the majority of the irrigated acreage. The basins are shown in Figure I –1 and contain the Surface Water Use Basins, as described in Rule 40E-21.631, F.A.C., listed below.

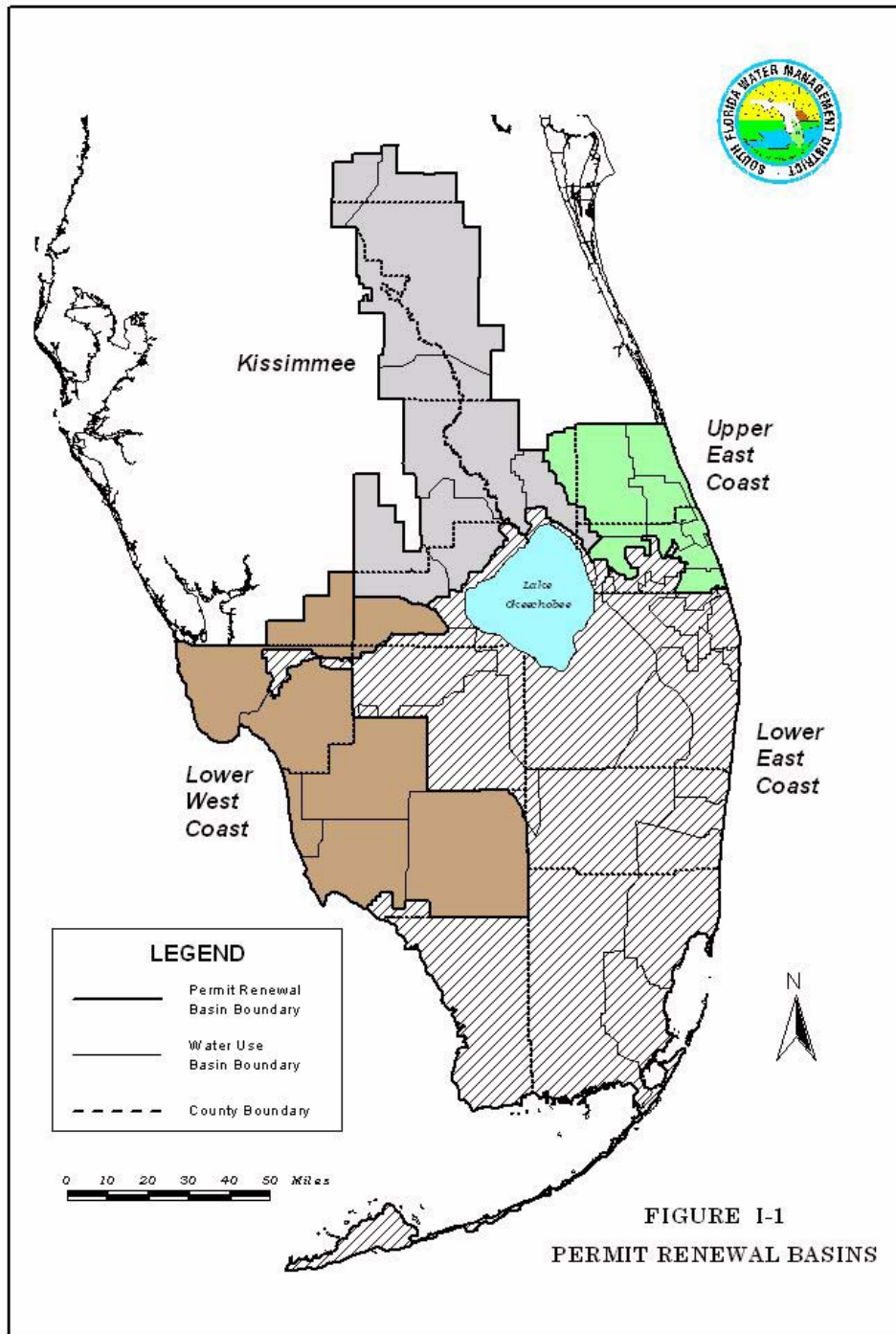
Upper East Coast: Northwest Loxahatchee River, Northwest Martin County, St. Lucie Agricultural Area, West Coastal Martin County, North Coastal Martin County, Stuart Peninsula, South Coastal Martin County, Interior Martin County, Port St. Lucie, and Coastal St. Lucie County.

Lower West Coast: Caloosahatchee River Basin Watershed – North, Caloosahatchee River Basin Watershed – South, Coastal Collier County, Fakahatchee North, Fakahatchee South, and Big Cypress Preserve.

Lower East Coast: South Dade, Water Conservation Areas/Everglades National Park, Water Conservation Area No. 3, Water Conservation Area No. 2, Water Conservation Area No. 1/West Palm Beach Canal, Everglades Agricultural Area, Interior Palm Beach County, M Canal, North Palm Beach County, C-18, Loxahatchee River, St. Lucie River, Lakeshore Perimeter, South Hendry County/L-28 Gap, and Caloosahatchee River.

Kissimmee: Taylor Creek/Nubbin Slough, Kissimmee River Valley, Upper Chain of Lakes, West Chain of Lakes, Indian Prairie, and Fisheating Creek.

Figure I-1 Irrigation Basins.



NAME OF PERSON ORIGINATING PROPOSED RULE: Wm. Scott Burns Director, Water Use Regulation Department
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the South Florida Water Management District
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 3, 2001

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE TITLE: Requirements for Sworn Invoices
Submitted by or on Behalf of Wireless Service Providers
RULE NO.: 60DD-1.001

PURPOSE AND EFFECT: The Board proposes the new rule to implement Section 365.173(2)(b), Florida Statutes.

SUMMARY: The proposed rule addresses the requirements for sworn invoices submitted by wireless service providers seeking reimbursement for actual costs incurred to provide 911 or E911 service.

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

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

SPECIFIC AUTHORITY: 365.172(6)(a)12., 365.173(2)(b) FS.

LAW IMPLEMENTED: 365.173(2)(b) 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: Winston E. Pierce, Chair, State of Florida Wireless 911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida, 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60DD-1.001 Requirements for Sworn Invoices Submitted by or on Behalf of Wireless Service Providers.

All wireless service providers seeking reimbursement for actual costs incurred to provide 911 or E911 service pursuant to Section 365.173(2)(b), F.S., shall complete and submit a sworn invoice containing the following:

- (1) The service provider's name and address;
(2) The date of the invoice;
(3) The service period for which reimbursement is sought;

(4) Itemization of non-recurring charges, by county, for which reimbursement is sought, including:

- (a) Description of each item.
(b) Quantity of each item provided.
(c) Unit cost of each item.
(d) Total cost of each item.

(5) Itemization of monthly recurring charges, by county, for which reimbursement is sought, including:

- (a) Description of each item.
(b) Quantity of each item provided.
(c) Unit cost of each item.
(d) Total cost of each item.

(6) Total amount of reimbursement sought in the invoice.

(7) The following certification: "I hereby certify that the foregoing statements are true and correct, and that no material fact has been withheld or concealed from the Wireless 911 Board."

(8) The dated and notarized signature of the person submitting the invoice.

(9) Payment will be made to the order of the provider only.

Specific Authority 365.172(6)(a)12, 365.173(2)(b) FS. Law Implemented 365.173(2)(b) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wireless 911 Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wireless 911 Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2003

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Certification of Glass and Glazing
Specialty Contractors
RULE NO.: 61G4-15.018

PURPOSE AND EFFECT: The Board proposes to create a rule to address the subject of certification of glass and glazing specialty contractors.

SUMMARY: The rule defines a glass and glazing contractor and establishes the qualification procedures for the voluntary certification.

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: 489.113(6), 489.115(5), 455.217(1), 120.53 FS.

LAW IMPLEMENTED: 489.113(6), 489.115(5), 455.217(1), 120.53 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.018 Certification of Glass and Glazing Specialty Contractors.

(1) Scope of Rule. The purpose of this rule is to provide for the voluntary certification of glass and glazing specialty contractors.

(2) Definition. A glass and glazing contractor is a specialty contractor whose scope of work is limited to the installation and attachment of all types of windows and glass, whether fixed or movable; the installation of swinging or sliding glass doors to existing walls, floors, columns or other structural members of the building; the installation of glass holding or supporting mullions or horizontal bars which are attached to existing building walls, floors, columns or other structural members of the building, and the cutting and installation of glass and mirrors. A glass and glazing specialty contractor may also install prefabricated glass, metal or plastic curtain walls or panels, caulking incidental to such work and assembly, and installation of shower and tub enclosures and metal fascias. Nothing in this rule shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classifications.

(3) Certificate Procedures.

(a) Qualifications.

1. Any person who desires to become a certified glass and glazing specialty contractor shall apply to the Construction Industry Licensing Board of the Department of Business and Professional Regulation in writing and on a form provided by the Department.

2. A person shall be certified as a glass and glazing specialty contractor if said person:

a. Is eighteen (18) years of age;

b. Is of good moral character;

c. Meets eligibility requirements according to one of the criteria established in Section 489.111(2)(c), Florida Statutes; and

d. Takes and successfully completes the examination for certification as a glass and glazing specialty contractor.

(b) Other Certification Procedures and Fees. Other certification procedures and fees for certified glass and glazing specialty contractors shall be the same as those provided for the certification of other contractors as defined in Part I, Chapter 489, Florida Statutes. The amount of liability insurance required for glass and glazing specialty contractors shall be as follows: \$100,000.00 public liability insurance and \$25,000.00 property damage insurance. Applicants for certification shall submit competent substantial evidence to the Board demonstrating that the applicant has a net worth of at least \$10,000.00.

Specific Authority 489.113(6), 489.115(5), 455.217(1), 120.53 FS. Law Implemented 489.113(6), 489.115(5), 455.217(1), 120.53 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 28, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Tasks Requiring Immediate Supervision RULE NO.: 61G18-17.005

PURPOSE AND EFFECT: The Board proposes the rule amendment to address the scope of tasks requiring supervision of veterinary assistants by veterinarians.

SUMMARY: The proposed rule amendment addresses the administration of vaccinations by veterinary assistants which require supervision by veterinarians.

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

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

SPECIFIC AUTHORITY: 474.203(6), 474.206 FS.

LAW IMPLEMENTED: 474.203(6) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-17.005 Tasks Requiring Immediate Supervision.

(1) All tasks which may be delegated to a veterinary aide, nurse, laboratory technician, intern, or other employee of a licensed veterinarian shall be performed only under the "immediate supervision" of a licensed veterinarian as that phrase is defined in subsection 474.202(5), Florida Statutes, with the exception of the following tasks which may be performed without the licensed veterinarian on the premises:

(a) The administration of medication and treatment, excluding vaccinations, as directed by the licensed veterinarian; and

(b) No change.

(2) No change.

(3) The administration of any vaccination by a veterinary aide, nurse, technician, intern or other employee of a licensed veterinarian which is not specifically prohibited by Rule 61G18-17.006, F.A.C., requires "immediate supervision" as that phrase is defined in subsection 474.202(5), Florida Statutes.

Specific Authority 474.203(6), 474.206 FS. Law Implemented 474.203(6) FS. History—New 10-17-85, Formerly 21X-17.05, 21X-17.005, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2002

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: List of Approved Forms; Incorporation

RULE NO.: 64B8-1.007

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate a revised application form and the Medical Faculty Certificate form into the rule.

SUMMARY: The proposed rule amendment incorporates a revised application form and the Medical Faculty Certificate form into the rule.

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

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

SPECIFIC AUTHORITY: 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.312(4), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

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

(1) DH-MQA 1000, entitled "Board of Medicine Application For Licensure By Examination and Endorsement (Medical Doctor)," (12/02) ~~(12/01)~~.

(2) through (19) No change.

(20) DH-MQA 1072, entitled "Application Materials Medical Faculty Certificate," (10/02).

(20) through (24) renumbered (21) through (25) No change.

Specific Authority 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.312(4), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 FS. History—New 4-17-01, Amended 11-10-01, 11-20-01, 3-19-02, 8-13-02, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2002

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 7, 2003; February 28, 2003

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Standards of Practice – Continuous Quality

RULE NO.:

Improvement Program 64B16-27.300

PURPOSE AND EFFECT: The Board proposes the rule amendments to update the scope of quality-related events to include the administration of prescribed medications.

SUMMARY: The proposed rule expands the definition of prescription error quality-related events to mean the administration of a prescribed medication as well as the dispensing of a prescribed medication.

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

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

SPECIFIC AUTHORITY: 465.0155 FS.

LAW IMPLEMENTED: 465.0155 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON APRIL 16, 2003 IN FT. LAUDERDALE, FLORIDA.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) No change.

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

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

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

(b) No change.

(3) through (5) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

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

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

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Food Hygiene	64E-11
RULE TITLES:	RULE NOS.:
Definitions	64E-11.002
Food Supplies	64E-11.003
Food Protection	64E-11.004
Personnel	64E-11.005
Food Equipment and Utensils	64E-11.006
Sanitary Facilities and Controls	64E-11.007
Manager Certification	64E-11.012
Certificates and Fees	64E-11.013
Mobile Food Units	64E-11.014

PURPOSE AND EFFECT: The purpose of the proposed rule change is to incorporate technical and scientific advancements and emerging pathogen barriers that promote the protection of the public from foodborne illnesses. The majority of these changes are indicated in the 1999 edition of the FDA Model Food Code. Additionally, the purpose of the proposed change is to clarify identified standards of the existing rule as requested by the regulated community and regulatory officials.

SUMMARY: The changes will define terms used in statute and rule that have been identified as confusing; incorporate food safety changes and personnel standards to better safeguard the public against foodborne illnesses; clarify equipment methods of approval and uses, and further delineate the fee structure.

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 lower cost regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 381.0072 FS.

LAW IMPLEMENTED: 381.0072 FS.

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

TIME AND DATE: 10:00 a.m., April 15, 2003

PLACE: Division of Environmental Health, Bureau of Facility Programs, 4042 Bald Cypress Way, Conference Room 240 P, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ric Mathis, Bureau of Facility Programs, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-11.002 Definitions.

(1) through (4) No change.

(4) "Bars and lounges" – A facility which possesses a consumption on premises alcoholic beverage license from the Division of Alcoholic Beverages & Tobacco; where food service is limited to:

(a) The preparation of drinks; ~~or and~~

(b) The service of non-potentially hazardous snack foods (such as, chips, popcorn and pretzels); ~~or and~~

(c) The service of ~~packaged~~ potentially hazardous foods and no preparation of potentially hazardous food occurs (such as sandwiches and ice cream).

(5) "Civic" – Any organization, excluding Division of Blind Services, offering food service to the public; and

(a) Possesses tax exempt status under 501(c)(4); or

(b) Which has a chartered body of citizens, recognized by a municipality, whether for profit or not, that operates primarily to further the common good and general welfare of the people of the community.

(6)~~(5)~~ No change.

(7) "Communitied" – Fish or meat products that are reduced in size and restructured or reformulated such as gefilte fish, gyros, ground beef, and sausage; and a mixture of two or more types of meat that have been reduced in size and combined, such as sausages made from two or more meats.

(6) through (15) renumbered (8) through (17) No change.

(18) "Fraternal" – An organization primarily operating for social, intellectual, educational, charitable, benevolent, moral, fraternal, patriotic, or religious purposes for the benefit of its members, that offers food service to its members or the public at their facility, and possess a charter.

(19)~~(16)~~ No change.

(20) "Guest" – As it relates to churches, synagogues, or other not-for-profit religious organizations, an individual who is not a member of the religious organization; and

(a) Who does not regularly attend non-food service events at the religious organization; and

(b) Whose participation in a food service event is not contingent upon attending non-food service activities of the religious organization; and

(c) Who received food service without cost or donation, excluding bake sales that are limited to non-potentially hazardous baked goods.

(d) This term does not include patrons of a soup kitchen or similar operation.

(17) through (35) renumbered (21) through (39) No change.

(40) "Snack" – A commercially pre-packaged non-potentially hazardous ready-to-eat-food item that is wrapped for individual consumption.

(36) through (38) renumbered (41) through (43) No change.

~~(44)(39)~~ "Temporary food service event" – Any event offering food service on the premises of a food service establishment approved by the department. These events are at a fixed location for a temporary period of time not to exceed any combination of 18 days within a calendar year and in conjunction with a single event or celebration.

(40) through (43) renumbered (45) through (48) No change.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History--New 1-1-77, Amended 1-6-81, Formerly 10D-13.22, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.009, Amended 6-1-93, 11-30-93, 8-28-96, Formerly 10D-13.022, Amended 3-15-98, _____.

64E-11.003 Food Supplies.

(1) through (2) No change.

(3) Frozen desserts and frozen dessert mixes shall not exceed a standard plate count of 50,000 per gram nor a coliform count of 10 per gram. The standard plate count does not apply to cultured products. ~~Samples shall be collected by department personnel as often as necessary to determine compliance with these standards.~~ Frozen dessert mixes reconstituted for use in a food establishment shall be pasteurized before use.

(4) through (7) No change.

(8) Food containers and packaged foods received and stored at food service establishments shall be in a condition which maintains the safety and integrity of the contents.

(9) Food prepared in a private home shall not be used, sold, or offered ~~for sale~~ to the public by a food service establishment or theater.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History--New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Retained here and Transferred to 7C-4.010, Amended 6-1-93, 8-28-96, Formerly 10D-13.023, Amended 3-15-98, _____.

64E-11.004 Food Protection.

(1) through (5) No change.

(6) ~~Pork and~~ Communitied meat (such as hamburger) products shall be thoroughly cooked to heat all parts of the meat to a minimum temperature of 155 degrees Fahrenheit for at least 15 seconds.

(7) No change.

(8) Raw animal products such as eggs, fish, lamb, pork, or beef, except roast beef, and foods containing these raw ingredients, shall be cooked to an internal temperature of 145 degrees Fahrenheit or above for at least 15 seconds, except that upon request of the consumer, animal products which have not been cooked as above may be offered for consumption. Fresh, frozen, or canned fruits and vegetables that are cooked for hot holding shall be cooked to a minimum temperature of 140 degrees Fahrenheit.

(9) No change.

(10) Microwave Cooking. Raw animal food cooked in a microwave oven shall be:

(a) Rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat;

(b) Covered to retain surface moisture;

(c) Heated to a temperature of at least 165° F throughout all parts of the food ~~an additional 25° F above the temperature specified in Section 64E-11.004, F.A.C., to compensate for shorter cooking times;~~ and

(d) Allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

(11) No change.

(12) Food shall be prepared with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed and sanitized to prevent cross contamination. Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to a minimum of 165 degrees Fahrenheit for 15 seconds or higher throughout all parts of the food, or if reheated in a microwave, shall meet the requirements for microwave cooking in subsection 64E-11.004(10), F.A.C., 190° F for a microwave, before being served or before being placed in a hot food storage equipment facility. Remaining un-sliced portions of roast beef and corned beef that are cooked as specified in (8) shall be reheated for hot holding using the requirements of (8). Ready-to eat food taken from a commercially processed, hermetically sealed container, or from an intact package from a food processing plant, shall be heated to a temperature of a least 140 degree Fahrenheit. Precooked, pre-packaged food from approved sources shall be exempt from this rapid reheating requirement when the food is initially removed from the original package, and prepared for service, and not cooked for hot holding. Steam tables, bainmaries, warmers and similar hot food holding equipment facilities are prohibited for the rapid reheating of potentially hazardous foods.

(13) No change.

(14) Potentially hazardous food, date marking requirements.

(a) Refrigerated, ready-to-eat, potentially hazardous food prepared and held for more than 24 hours in a facility shall be clearly marked with the date of preparation.

(b) Except as specified in paragraph ~~(d)~~(e) of this section, a container of refrigerated, ready-to-eat, potentially hazardous food prepared and packaged by another food service establishment shall be marked to indicate the date, as specified under subsection 64E-11.004(15), F.A.C., by which food shall be sold or served.

(c) When ready to eat, potentially hazardous food specified in paragraph 64E-11.004(14)(a),(b), F.A.C., is to be subsequently frozen, in addition to the date of preparation, the food shall comply with the following:

1. Prior to the food being placed into the freezer, the container must be clearly marked to indicate the date of freezing; and

2. The container must be clearly marked to indicate that the food shall be consumed within 24 hours of thawing; and

3. When the food is removed from the freezer, the container must be clearly marked to indicate the date of thawing.

~~(d)~~(e) Paragraph (b) and (c) of this section does not apply to:

1. Cured meats and aged cheese; and

2. Individual meal portions served or repackaged for sale from a bulk container upon a consumer's request.

(15) Ready-to-eat, potentially hazardous food, disposition.

(a) Refrigerated, ready-to-eat, potentially hazardous food specified in paragraphs 64E-11.004(14)(a) and (c) shall be discarded if not sold or served within 7 ~~40~~ calendar days from the date of preparation, excluding the time that the product is frozen;

(b) An ingredient or a container of refrigerated, ready-to-eat, potentially hazardous food specified in paragraph 64E-11.004(14)~~(a) or (b)~~, F.A.C., shall be discarded if not sold or served within 7 ~~40~~ calendar days after the original package is opened, excluding the time that the product is frozen or by the manufacturer's "sell by" or "use by" date, whichever occurs first.

(c) Food specified under subsection 64E-11.004(14), F.A.C., shall:

1. Not be frozen if the food has exceeded the requirements of subsection 64E-11.004(2) or (3), F.A.C.;

2. Not be frozen and subsequently thawed more than once;

3. Be discarded if it is in a container or package that does not bear a date or is inappropriately marked with a date that exceeds the time frame specified in subsection 64E-11.004(15), F.A.C.

(d) A refrigerated, potentially hazardous, ready-to-eat food ingredient or a portion of a refrigerated, potentially hazardous, ready-to-eat food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest or first-prepared ingredient or portion and shall be discarded as specified under subsection 64E-11.004(15), F.A.C.

(16) All food shall be displayed and served in such a manner as to minimize contamination. To avoid unnecessary manual contact with food, suitable dispensing utensils shall be used by employees or provided to consumers who serve themselves. Clean plates are to be made available to customers for subsequent helpings at buffets or similar type operations. It shall be the responsibility of the manager or a designee to inform customers that clean plates are available for subsequent helpings. During pauses in food preparation or dispensing, food preparation and ~~Between uses during service;~~ dispensing utensils shall be stored:

(a) In the food, including food within containers such as bins of sugar or flour, with the dispensing utensil handle extended out of the food; or

(b) Clean and dry; or

(c) In running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes; or

(d) In hot water wells that maintain the temperature of the water at or above 140 degrees Fahrenheit and that are cleaned frequently at scheduled intervals throughout the day.

(e) Ice-dispensing utensils shall be stored on a clean surface or in the ice with the dispensing utensil's handle extended out of the ice. Between uses, ice transfer utensils shall be stored in a way that protects the utensils from contamination.

(18) No change.

(19) Ice obtained from outside the food service establishment shall be from an approved source and shall be handled, transported and stored in a sanitary manner. Ice for consumer use shall be dispensed only with scoops, tongs or other ice-dispensing utensils or through automatic self-service ice-dispensing equipment. Ice storage bins shall be drained through an air gap in accordance with the provisions of the applicable plumbing authority. Ice used for cooling stored food and food containers shall not be used for human consumption, except that such ice may be used for cooling tubes conveying beverages or beverage ingredients to a dispenser head.

(20) through (21) No change.

(22) In the event of an emergency occurrence such as a fire, flood, power outage or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at safe temperatures, 41 degrees Fahrenheit or below and 140 degrees Fahrenheit or above, the person in charge shall immediately notify the department.

Specific Authority 381.0072 FS, Law Implemented 120.542, 381.0072 FS, History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.24, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.011, Amended 6-1-93, 8-28-96, Formerly 10D-13.024, Amended 3-15-98, _____.

64E-11.005 Personnel.

(1) No change.

(2) Cleanliness – The outer clothing of all employees shall be clean. Employees shall maintain a high degree of personal cleanliness during all periods of duty. All persons involved with food preparation or food storage, or who come in contact with utensil or other food contact services, shall comply with (a) through (f). Hair nets, head bands, caps or other effective hair restraints shall be worn by all persons engaged in the preparation and service of food to keep hair from food and food contact surfaces.

(a) Hairnets, headbands, caps or other effective hair restraints shall be worn to keep hair from food and food-contact surfaces.

(b) Keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough. Fingernails exceeding one-eighth inch beyond the nail bed shall not be considered trimmed and must comply with paragraph (c) of this subsection.

(c) Not wear fingernail polish or artificial fingernails when working with exposed food or unwrapped utensils unless wearing intact gloves in good repair.

(d) Except as specified in (f) of this section, shall not eat or drink in food storage and preparation areas, or in areas containing exposed food or unwrapped utensils, or where utensils are cleaned or stored.

(e) Not wear jewelry on their arms and hands while preparing food. This does not apply to a single plain ring such as a wedding band.

(f) Be allowed to drink from a beverage container with a tight fitting lid, if the container is handled to prevent contamination of the employees' hands, the container or unwrapped single-service article; and exposed food, clean equipment, utensils, and linens.

(3) through (4) No change.

(5) Handwashing – Employees shall wash their hands and exposed portions of their arms at designated handwashing facilities at the following times:

(a) After touching bare human body parts other than clean hands and clean, exposed portions of arms;

(b) After using the toilet room;

(c) After caring for or handling support animals as allowed under subsection 64E-11.008(8), F.A.C.;

(d) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking (except as noted in paragraph (2)(f)(a) of this section);

(e) Immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles;

(f) During food preparation, as often as necessary to remove soil and contamination and prevent cross contamination when changing tasks;

(g) When switching between working with raw foods and working with ready-to-eat foods; and

(h) After engaging in other activities that contaminate the hands.

Specific Authority 381.0072 FS, Law Implemented 381.0072 FS, History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.25, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.012, Amended 6-1-93, Formerly 10D-13.025, Amended 3-15-98, _____.

64E-11.006 Food Equipment and Utensils.

(1) Equipment and facilities provided – Every food service establishment shall be provided with equipment and utensils so designed, constructed, located, installed, maintained and operated as to permit full compliance with the provisions of this chapter. Equipment that is certified or classified for sanitation in accordance with American National Standards

Institute/National Sanitation Foundation (ANSI/NSF) standards will be deemed to comply with subsection 64E-11.006(2), F.A.C. The following equipment and facilities shall be provided where applicable to the operations conducted:

(a) No change.

(b) Conveniently located sinks with running water, waste disposal units or containers or similar equipment for the washing, trimming and similar preparation of foods. Sinks used for the preparation of food shall not be used for any other purpose.

(c) through (o) No change.

(2) Design and fabrication.

(a) Multi-use equipment and utensils shall be constructed and repaired with safe materials, including finishing materials; shall be corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable and durable under conditions of normal use. Single-service articles shall be made from clean, sanitary, safe materials. Ice buckets, other containers, and scoops, shall be of a smooth, impervious material and designed to facilitate cleaning. Equipment, utensils and single-service articles shall not impart odors, color or taste nor contribute to the contamination of food.

(b) through (r) No change.

(3) No change.

(4) Cleanliness of equipment and utensils.

(a) All tableware, kitchenware and food-contact surfaces of equipment, exclusive of cooking surfaces of equipment and pots and pans that are not used to hold or store food and are used solely for cooking purposes, shall be thoroughly cleaned and sanitized after each use. Food-contact surfaces of grills, griddles and similar cooking devices and the cavities and door seals of microwave ovens shall be cleaned at least once a day; except that this shall not apply to hot oil cooking equipment and hot oil filtering systems. The food-contact surfaces of all cooking equipment shall be kept free of encrusted grease deposits and other accumulated soil. All multi-use utensils and food-contact surfaces of equipment used in the preparation or storage of potentially hazardous food shall be thoroughly cleaned and sanitized prior to each such use. Where equipment and multi-use utensils are used for preparation of potentially hazardous foods on a continuous or production line basis, food-contact surfaces of such equipment and utensils shall be cleaned and sanitized at scheduled intervals throughout the day using a schedule approved by the department, based on food temperature, type of food and amount of food particle accumulation. Non-food-contact surfaces of equipment shall be cleaned at such intervals as necessary to keep them free of dust, dirt, food particles and otherwise in a clean and sanitary condition. After cleaning and until use, all food-contact surfaces of equipment and multi-use utensils shall be stored

and handled in a manner that protects those surfaces from manual contact, splash, dust, dirt, insects and other contaminants.

(5) Methods of washing and sanitizing

(b) through (d) No change.

(a) No change.

(b) No change.

1. through 6. No change.

7. Machines using hot water for sanitizing may be used provided that wash water and pumped rinse water shall be kept clean; and the final rinse cycle achieves a utensil surface temperature of 160-degrees Fahrenheit as measured by an irreversible registering temperature indicator; and water shall be maintained at not less than the temperatures stated in a. through e. below:

a. through f. No change.

(c) through (d) No change.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.26, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.013, Amended 6-1-93, 8-28-96, Formerly 10D-13.026, Amended 3-15-98, _____

64E-11.007 Sanitary Facilities and Controls.

(1) Water supply – The water supply shall be adequate, of safe sanitary quality and from an approved source in accordance with provisions of Chapters 62-550 and 62-555 of the Florida Administrative Code or Chapter 64E-8, Florida Administrative Code. Hot and cold running water under pressure shall be provided in all areas where food is prepared and where equipment and multi-use utensils are washed.

(a) No change.

(b) Bottled water – Bottled and packaged potable water shall be obtained from a source that complies with the requirements of Chapter 500.147(3) and (4), Florida Statutes ~~SK 8 of the Florida Administrative Code,~~ and shall be handled and stored in a way that protects it from contamination. Bottled and packaged potable water shall be dispensed from the original container.

(c) No change.

~~(d)(2)~~ Ice – Ice making machines shall utilize water from an approved source and shall be constructed, located, installed, operated and maintained so as to prevent contamination of the ice. ~~Ice obtained from outside the food service establishment shall be from a source approved by the department and shall be handled, transported and stored in a sanitary manner. Canvas containers shall not be used unless provided with a sanitary single-service liner so as to completely protect the ice from contamination. Ice buckets, other containers and scoops, shall be of a smooth, impervious material and designed to facilitate cleaning.~~ They shall be kept clean and shall be stored and handled in a sanitary manner.

(3) through (5) renumbered (2) through (4) No change.

~~(5)(6)~~ Handwashing facilities – Each food service establishment shall be provided with adequate, readily accessible, conveniently located lavatories equipped with hot and cold running water, hand cleansing soap or detergent and approved sanitary towels or other approved hand drying devices in accordance with provisions of the applicable plumbing authority or, where no plumbing code has been adopted locally, with Chapter 64E-10 of the Florida Administrative Code. Handwashing facilities shall not be used for any purpose other than handwashing.

(a) through (b) No change.

(c) Lavatories, soap dispensers, hand-drying devices and all other components of the handwashing facilities shall be kept clean and in good repair. Handwashing signs shall be posted at each handwashing facility ~~lavatory location.~~

(d) No change.

(7) through (8) renumbered (6) through (7) No change.

Specific Authority 381.006, 381.0072 FS. Law Implemented 381.006, 381.0072 FS. History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.27, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.014, Formerly 10D-13.027, Amended 3-15-98, _____.

64E-11.012 Manager Certification.

(1)(a) All managers who are responsible for the storage, preparation, display, and serving of foods to the public shall have passed a written certification test approved by the department demonstrating a basic knowledge of food protection practices. Those managers who successfully pass the certification examination shall be issued a certificate which is valid for a period of five years from the date of issuance. All establishments shall designate in writing the food service manager or managers for each location. Establishments that serve highly susceptible populations, or have three ~~four~~ or more employees at one time engaged in the storage, preparation, display, or serving of food shall have at least one certified manager present at all times when said activities are taking place. All other establishments shall have a certified manager or managers responsible for all periods of operation but said manager or managers need not be present at all times. It shall be the responsibility of the certified manager or managers to inform all employees under their supervision and control who engage in the storage, preparation, or serving of food, to do so in accordance with acceptable sanitary practices as described in this chapter. The certified manager or managers shall also maintain a copy of the establishment's most recent regular food service inspection form provided by the department. Employees shall present this inspection form to guests or patrons for their review upon their request.

(b) Managers employed on or after the effective date of this chapter shall have a period of 90 days after the effective date of employment to satisfactorily pass the required test.

(2) No change.

(3) The testing program shall demonstrate testing program compliance with one or more generally recognized measurement standards such as the Standards for Educational and Psychological Testing. Documentation of conformance shall include organization review and program evaluation by qualified psychometricians and shall demonstrate adherence in the areas of administrative independence; fairness; technical standards for test construction and evaluation including validity, reliability and errors in measurement, test development and revision, scaling, norming, score comparability and equating, and test publication; professional standards for test use including employment testing and professional and occupational certification; and related standards for testing linguistic minorities, testing people who have handicap conditions, test administration, scoring and reporting, protecting the rights of test takers and public information. Testing programs that provide documentation to the department of current accreditation by an accrediting organization as defined in the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs shall be considered as meeting the provision for testing programs of this section, provided that the Testing Program maintains its accreditation.

(4) Once approved, the testing program shall maintain and offer test(s) that comply with the current requirements of this chapter and shall notify and receive approval from the department prior to making any changes to the test. Within 120 days of receiving notification from the department that this chapter has undergone substantial changes, approved testing programs shall revise their certification test(s) to be consistent with the applicable changes and notify the department when such revisions have been completed.

(5) A test offered for compliance with this section shall be invalid when:

(a) It has not been approved by the department; or

(b) It is a previously approved test that has been changed without department approval; or

(c) Any applicable requirement of paragraph (4) of this section is not met.

~~(6)(4)~~ Persons shall be considered certified under these rules when a written examination is a requirement for licensure by the Florida Department of Business and Professional Regulation in a dietary field and when these persons have acquired and maintained the currency of this license. The following establishments are also exempt from the manager certification requirements of this section:

(a) through (b) No change.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History—New 2-21-91, Amended 5-12-92, Retained here and Transferred to 7C-4.023, Amended 6-1-93, 8-28-96, Formerly 10D-13.037, Amended 3-15-98, _____.

64E-11.013 Certificates and Fees.

(1) Certificate Required.

(a) All food service establishment certificates shall expire on September 30. Certificates may be issued for a period less than a calendar year so long as they are prorated on a quarterly basis. Certificates shall be posted in a conspicuous location in the establishment on the premises.

(2) Applications and Renewal of Certificates.

(a) Each person who plans to construct, purchase, reopen, or operate a food service establishment shall apply for and receive a certificate from the department prior to the commencement of operation. Applications for certificates shall be made to the department on DOH Form 4086, Application for Sanitation Certificate, 7/98, which is incorporated herein by reference and which can be obtained from the environmental health section of the county health department.

(b) through (c) No change.

(d) Whenever construction plans are disapproved, a certificate is denied, suspended or revoked or the department takes similar action that affects the substantial interests of a food service establishment certificate holder, the department shall notify the certificate holder of their right to request a hearing on the matter. Notification shall be in writing, and it shall indicate that a hearing must be requested within 30 days of the certificate holder's receipt of the notice. The department shall grant or deny a hearing request within 10 days of receipt. All notices and hearings shall conform be conducted in accordance with the provisions of Chapter 120, F.S.

(3) Fees.

(a) No change.

(b) Except for establishments specifically exempted from fees in subsection (4), all food service establishments shall pay an annual or prorated fee to the department according to the following schedule:

Annual Fee per Food Service Establishment;

	Fee	Surcharge	Total
1. Hospital	\$200.00	+ 10.00	210.00
2. Nursing Home	\$200.00	+ 10.00	210.00
3. Detention Facility	\$200.00	+ 10.00	210.00
4. Bar/Lounge	\$150.00	+ 10.00	160.00
5. Fraternal/Civic Organization	\$150.00	+ 10.00	160.00
6. Movie Theater	\$150.00	+ 10.00	160.00
7. School Cafeteria			
a. Operating for 9 months out of a year	\$120.00	+ 10.00	130.00
b. Operating for more than 9 months	\$150.00	+ 10.00	160.00
8. Residential Facility	\$100.00	+ 10.00	110.00
9. Other Food Service	\$150.00	+ 10.00	160.00
10. Child Care Center	\$75.00	+ 10.00	85.00
11. Limited Food Service	\$75.00	+ 10.00	85.00

(c) through (e) No change.

(4) Exemptions. The following limited food service establishments are exempted from the ~~certificate and~~ fee requirements of this section:

(a) Food service establishments that only serve catered meals which have been prepared in an approved food establishment and where no warewashing, and no storage, re-heating, or re-service of the catered food takes place onsite; such as satellite kitchens at schools and other institutions, and similar operations.

(b) Child care facilities and other institutions that serve prepare only snacks or that require individuals in attendance to bring their own meals to the facility, which do not require any food preparation.

Specific Authority 381.0072 FS. Law Implemented 381.0072(2) FS. History--New 2-21-91, Amended 5-12-92, Retained here and Transferred to 7C-4.024, Amended 6-1-93, 11-30-93, 8-28-96, Formerly 10D-13.038, Amended 3-15-98,_____.

64E-11.014 Mobile Food Units.

(1) through (6) No change.

(7) Mobile food units which are limited to the sale of non-potentially hazardous food only shall be exempt from:

(a) The requirements of employee hand washing sink, provided that only pre-packaged items are offered; and

(b) A utensil washing sink will not be required when all necessary washing and sanitizing of utensils and equipment are conducted at a designated approved commissary or fixed food establishment. An adequate supply of spare preparation or serving utensils shall be maintained on the unit and used to replace any utensils that become contaminated.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History--New 3-15-98, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ric Mathis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Padraic Juarez, Environmental Administrator, Bureau of Facility Programs

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 1, 2002; January 24, 2003

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

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

NOTICE OF CHANGE

Notice is hereby given that changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 4, of the January 24, 2003, issue of the Florida Administrative Weekly.

The changes are in response to comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Bureau of Victim Compensation held a public hearing on the rule on March 17, 2003, in Tallahassee, Florida. In response to the written comments submitted by JAPC and staff recommendations, subsection (1) of the rule shall be changed to read as follows:

(1) BVC 100, entitled "Victim Compensation Claim Form," (rev. 3/03), effective _____.

In addition, §960.12, 960.13, 960.15, 960.16, 960.17, 960.18, 960.195, shall be added to the Law Implemented citation.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gwen Roache, Chief, Bureau of Victim Compensation, PL-01, The Capitol, Tallahassee, Florida 32399-1050

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-8.031
 RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule published in Vol. 29, No. 4, of the Florida Administrative Weekly, on January 24, 2003, in accordance with subparagraph 120.54(3)(d)1., F.S.

This change is being made to address testimony and evidence received at a public hearing held on March 11, 2003. The change deleted the proposed minimum flow for Lake Avalon in Orange County.

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

- (1) No change.
- (2) The following minimum surface water levels are established:

Lake Name	County	Hydroperiod Category	Minimum Infrequent High	Minimum Frequent High	Minimum Average Level	Minimum Frequent Low	Minimum Infrequent Low
(a) through (d)	No change.						
(e) Avalon	Orange	Seasonally Flooded		90.0			
		Typically Saturated			88.3		
		Semipermanently Flooded				86.3	

(f) through (xxxx) renumbered (e) through (www) No change.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-3.011
 RULE TITLE: Policy and Purpose

NOTICE OF WITHDRAWAL

Notice is hereby given that the Notice of Proposed Rulemaking published in Vol. 28, No. 5, February 1, 2002, issue of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NOS.: 61B-60.001, 61B-60.002, 61B-60.003, 61B-60.006
 RULE TITLES: Definitions, General Provisions; Forms and Fees, Application for and Renewal of Broker or Salesperson License, Escrow Trust Depository; Closing Transactions

NOTICE OF CORRECTION

Notice is hereby given that the following contact information was inadvertently omitted from the Notice of Proposed Rule published in Vol. 29, No. 11, March 14, 2003, issue of the Florida Administrative Weekly:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, (850)488-1631

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE CHAPTER NO.: 64B16-28
 RULE TITLE: General Requirements – Permits
 RULE NO.: 64B16-28.450
 RULE TITLE: Centralized Prescription Filling

NOTICE OF CHANGE

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

Subsection (1) shall read as follows:

Community pharmacies acting as the supplier pharmacy and limiting its dispensing to centralized prescription filling who file notice with the Board that such pharmacy is so limited shall be exempt from the following rules:

- (a) Rule 64B16-28.1035, F.A.C., Patient Consultation Area;
- (b) The signage requirement of subsection 64B16-28.109(1), F.A.C.;

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

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

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: Replacement of Obsolete Emergency Rules
 RULE NO.: 53ER03-17
 SUMMARY OF THE RULE: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.
 THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-17 Replacement of Obsolete Emergency Rules.
 The following Department of the Lottery emergency rules relating to Lottery games, promotions or retailer programs are being replaced because the games, promotions or programs have concluded. This rule shall replace the following rules: 53ER01-15, 53ER01-18, 53ER01-28, 53ER01-31, 53ER01-35, 53ER01-49, 53ER01-52, 53ER01-53, 53ER01-55, 53ER01-56, 53ER01-60, 53ER01-61, 53ER01-69, 53ER01-71, 53ER01-73, 53ER01-74, 53ER01-75, 53ER01-78, 53ER01-79, 53ER02-1, 53ER02-6, 53ER02-8, 53ER02-9, 53ER02-11, 53ER02-14, 53ER02-15, 53ER02-18, 53ER02-20; 53ER02-28, F.A.C.

Specific Authority 24.109(1), 24.105(2) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 3-14-03, Replaces 53ER01-15, 53ER01-18, 53ER01-28, 53ER01-31, 53ER01-35, 53ER01-49, 53ER01-52, 53ER01-53, 53ER01-55, 53ER01-56, 53ER01-60, 53ER01-61, 53ER01-69, 53ER01-71, 53ER01-73, 53ER01-74, 53ER01-75, 53ER01-78, 53ER01-79, 53ER02-1, 53ER02-6, 53ER02-8, 53ER02-9, 53ER02-11, 53ER02-14, 53ER02-15, 53ER02-18, 53ER02-20; 53ER02-28 F.A.C.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
 EFFECTIVE DATE: March 14, 2003

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 468, 7-11-21
 RULE NO.: 53ER03-18
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 468, "7-11-21," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule

sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-18 Instant Game Number 468, 7-11-21.
(1) Name of Game. Instant Game Number 468, "7-11-21."
(2) Price. 7-11-21 lottery tickets sell for \$1.00 per ticket.
(3) 7-11-21 lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning 7-11-21 lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any 7-11-21 lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The play symbols and play symbol captions are as follows:

INSERT SYMBOLS

(5) The prize symbols and prize symbol captions are as follows:

INSERT SYMBOLS

(6) The legends are as follows:

INSERT SYMBOLS

(7) Determination of Prizewinners. There are three games on each 7-11-21 lottery ticket. Players may win in one or more games per ticket. A ticket having three numbers within a game, the total of which is 7, 11, or 21, shall entitle the claimant to the corresponding prize shown for that game. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$100, and \$2,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a 7-11-21 lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 468 are as follows:

GAME PLAY TICKET	WIN \$1 TICKET	ODDS OF 1 IN	NUMBER OF WINNERS IN 84 POOLS OF 180,000 TICKETS PER POOL
\$1	\$1	15.00	1,008,000
\$2	\$2	25.00	604,800
\$2 x 2	\$4	100.00	151,200
\$2 x 3	\$6	100.00	151,200
\$5 x 2	\$10	300.00	50,400
\$10	\$10	300.00	50,400
\$5 x 3	\$15	300.00	50,400
\$10 x 2	\$20	300.00	50,400
\$25	\$25	600.00	25,200
\$10 x 3	\$30	1,800.00	8,400
\$5 + \$25	\$30	2,400.00	6,300
\$25 x 2	\$50	3,600.00	4,200
\$25 x 3	\$75	12,000.00	1,260
\$100	\$100	1,080,000.00	14
\$100 x 3	\$300	1,260,000.00	12
\$2,000	\$2,000	1,512,000.00	10

(9) The estimated overall odds of winning some prize in Instant Game Number 468 are 1 in 4.12. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(10) For reorders of Instant Game Number 468, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a 7-11-21 lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(12) Payment of prizes for 7-11-21 lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 3-14-03.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 14, 2003

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 474, TRIPLE THREE RULE NO.: 53ER03-19

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 474, “TRIPLE THREE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule

sets forth the specifics of the game; determination of prizewinners; and the estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-19 Instant Game Number 474, TRIPLE THREE.

(1) Name of Game. Instant Game Number 474, “TRIPLE THREE.”

(2) Price. TRIPLE THREE lottery tickets sell for \$2.00 per ticket.

(3) TRIPLE THREE lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning TRIPLE THREE lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any TRIPLE THREE lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) Design of Ticket. There are three different games in Instant Game Number 474, TRIPLE THREE.

(5) The “YOUR NUMBERS” play symbols and play symbol captions in Game 1 are as follows:

INSERT SYMBOLS

(6) The “LUCKY NUMBER” play symbols and play symbol captions in Game 1 are as follows:

INSERT SYMBOLS

(7) The prize symbols and prize symbol captions in Game 1 are as follows:

INSERT SYMBOLS

(8) The legends in Game 1 are as follows:

INSERT SYMBOLS

(9) The play and prize symbols and play and prize symbol captions in Game 2 are as follows:

INSERT SYMBOLS

(10) The play symbols and play symbol captions in Game 3 are as follows:

INSERT SYMBOLS

(11) The prize symbols and prize symbol captions in Game 3 are as follows:

INSERT SYMBOLS

(12) The legend in Game 3 is as follows:

INSERT SYMBOLS

(13) Determination of Prizewinners. Each of the three games in Instant Game Number 474, TRIPLE THREE, uses a different play methodology. Players may win in one or more games. The determination of prizewinners for each game is as follows:

(a) In Game 1, a ticket having a number in the "YOUR NUMBERS" play area that matches the number in the "LUCKY NUMBER" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket having a



"THREE" symbol in the play area shall entitle the claimant to the corresponding prize shown. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$100, \$250, and \$21,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as provided in paragraph (13)(d) below.

(b) In Game 2, a ticket having three like amounts or two



like amounts and a "THREE" symbol in the play area shall entitle the claimant to a prize of that amount. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$20.00, \$100, \$250, \$1,000, and \$21,000. A ticket having three "TICKET" symbols or two "TICKET"



symbols and a "THREE" symbol in the play area shall entitle the claimant to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as provided in paragraph (13)(d) below.



(c) In Game 3, a ticket having three "THREE" symbols in the play area in any one row, column, or diagonal shall entitle the claimant to the prize shown. The prizes are: TICKET, \$1.00, \$3.00, \$5.00, \$10.00, \$25.00, \$100, \$250, \$500, and \$21,000. A claimant who is entitled to a prize of a "TICKET" shall be

entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as provided in paragraph (13)(d) below.

(d) In Games 1, 2, and 3, a person who submits by mail a TRIPLE THREE lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(14) The estimated odds of winning, value, and number of prizes in Instant Game Number 474 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
TICKET (GAMES 1, 2, or 3)	\$2 TICKET	18.75	403,200
G1-\$1 "AUTOWIN (3)" + G3-\$1	\$2	15.00	504,000
G2-\$2	\$2	15.00	504,000
G1-\$1 + G2-\$2 + G3-\$1	\$4	25.00	302,400
G1-\$2 x 2 + G3-\$1	\$5	37.50	201,600
G1-\$1 x 2 + G2-\$2 + G3-\$1	\$5	37.50	201,600
G1-\$3 x 2 + G2-\$1 + G3-\$3	\$10	75.00	100,800
G1-\$5 "AUTOWIN (3)" + G2-\$5 + G3-\$5	\$15	150.00	50,400
G3-\$25	\$25	100.00	75,600
G1-\$10 x 2 + G2-\$20 + G3-\$10	\$50	800.00	9,450
G2-\$100	\$100	7,200.00	1,050
G1-\$100 "AUTOWIN (3)" + G2-\$100 + G3-\$100	\$300	142,641.51	53
G2-\$250 + G3-\$250	\$500	302,400.00	25
G3-\$500	\$500	302,400.00	25
G1-\$250 x 2 + G2-\$250 + G3-\$250	\$1,000	945,000.00	8
G2-\$1,000	\$1,000	945,000.00	8
\$21,000 (GAMES 1, 2, or 3)	\$21,000	2,520,000.00	3

(15) The estimated overall odds of winning some prize in Instant Game Number 474 are 1 in 3.21. Some prizes, including the top prizes, may be sold out at the time of ticket purchase.

(16) For reorders of Instant Game Number 474, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(17) By purchasing a TRIPLE THREE lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(18) Payment of prizes for TRIPLE THREE lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 3-14-03.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 14, 2003

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE TITLE: Emergency Establishment of the Suwannee River Flood Boating Restricted Area

RULE NO.: 68DER03-1

STATEMENT OF THE SPECIFIC FACTS AND REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY, AND WELFARE: Recent rains have caused severe flooding on the Suwannee River. The river has overflowed its banks in many places and expanded into the flood plain. This flooded condition has created an immediate danger to vessels transiting the area. Objects previously well above the water and objects previously on dry land have become wholly or partially submerged, creating hazards to navigation. These objects include without limitation, dwellings, electrical and telephone wires, utility poles, trees and stumps, docks and wharfs, boat houses, and sheds. The turbulent and muddy water has caused boats to allide dangerously upon submerged objects without warning. The operation of vessels in a manner which allows the vessels to cause a wake presents an immediate danger to property engulfed by the flood waters or adjacent to the swollen river. Vessel wakes will increase the damage caused by the flood waters and will damage property that is marginally above the flood waters. Vessel wakes also present an immediate danger to persons in or near the river. The accustomed foot paths and hand holds are now submerged by the flood. Wakes from passing vessels will cause these persons to slip and fall, perhaps into the river. Under these circumstances, there is a substantial likelihood of injury or death.

STATEMENT OF THE AGENCY'S REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: There is general concurrence that the establishment of these Idle Speed No Wake boating restricted areas are necessary for the protection of public safety. The County Commission of Lafayette County and the Suwannee River Water Management District favors adoption of this emergency rule as a means to protect against environmental damage including erosion, degradation of water quality, introduction of pollutants into the river system, and the undermining of trees and other vegetation. This emergency rule will be forwarded to the United States Coast Guard Seventh District for publication in their weekly Local Notice to Mariners. The boating public will be notified by publication in the local notice, by marine VHF radio broadcast of the Coast Guard's local notice, by personal contact from law enforcement officers, and by signs posted at boat ramps and other access points to the boating restricted areas. Because the

water levels on the Suwannee River are in constant flux, varying in response to wind directions, wind speed and accumulated rainfall, the danger to life and property is such that normal rulemaking procedures would not adequately protect the public from the anticipated harm. The procedures used in this emergency rulemaking action area therefore fair under circumstances.

SUMMARY OF THE RULE: This action establishes an Idle Speed No Wake boating restricted area on and adjacent to the Suwannee River from shoreline to shoreline on the Suwannee River from U.S. Highway 27 North to the county line (Lafayette/Madison/Suwannee Counties).

A COPY OF THIS EMERGENCY RULE MAY BE OBTAINED BY CONTACTING: Captain Alan S. Richard, Assistant General Counsel, Legal Office, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE EMERGENCY RULE IS:

68DER03-1 Emergency Establishment of the Suwannee River Flood Boating Restricted Area.

(1) For the purpose of regulating the speed and operation of vessel traffic on the Suwannee River within Lafayette County, Florida, the following Idle Speed No Wake boating restricted area is established shoreline to shoreline, including all tributaries and adjoining lakes, from U.S. Highway 27 North to the county line (Lafayette/Madison/Suwannee Counties).

(2) This emergency rule shall be enforced by the Division of Law Enforcement and its officers, the sheriffs of the counties through which these waters flow and their respective deputies, and any other duly constituted law enforcement officers.

(3) Any person failing to comply with the provision of this emergency rule shall be guilty of a noncriminal infraction, punishable as provided in section 327.73, Florida Statutes.

(4) This emergency rule will continue in effect for the lesser of 90 days or until the Executive Director of the Agency determines that the flooding conditions have sufficiently abated so that the restrictions are no longer justified.

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History--New 3-14-03.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 14, 2003

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Amended Petition for Waiver filed by CHARLOTTE COUNTY and assigned the number DCA03-WAI-033. Notice of this petition appeared in the February 14, 2003, edition of the Florida Administrative Weekly. It is ordered that the Petition by Petitioner CHARLOTTE COUNTY for the Department to waive a portion of subsection 9K-7.003(5), Fla. Admin. Code, for Florida Communities Trust Project No. 01-063-FF1 (Tippecanoe Scrub Environmental Park, Phase II) is hereby granted.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by the CITY OF DAYTONA BEACH and assigned the number DCA03-WAI-023. Notice of this petition appeared in the January 24, 2003, edition of the Florida Administrative Weekly. It is ordered that the Petition by Petitioner CITY OF DAYTONA BEACH for the Department to waive subsection 9K-7.003(5), Fla. Admin. Code, is hereby granted.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department has issued a Final Order in response to the Petition for Waiver filed by the CITY OF COCOA and assigned the number DCA03-WAI-034. Notice of this petition appeared in the February 14, 2003, edition of the Florida Administrative Weekly. It is ordered that the Petition by Petitioner CITY OF COCOA for the Department to waive a portion of subsection 9K-7.003(5), Fla. Admin. Code, for Florida Communities Trust Project No. 01-077-FF1 (Cocoa Conservation Area) is hereby granted.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-37 DAO-ROW), on March 13, 2003, to the

Florida Department of Transportation. The petition for waiver was received by the SFWMD on January 27, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 6, on February 7, 2003.

No public comment was received.

This Order provides a waiver for 3 mastarm relocations, guardrail and bridge concrete barrier walls within the south right of way of C-11, Section 29, 30, 25, Township 50 South, Range 40, 41 East, Broward County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which requires that a 40 foot wide strip of right of way, measured from the top of the bank landward, be unencumbered by permanent and/or semi-permanent above-ground structures to enable the District to perform the required routine and emergency operations and maintenance activities necessary to insure flood protection to the entire community. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Florida Department of Transportation from suffering a substantial hardship.

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

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-36 DAO-ROW), on March 13, 2003, to the Florida Department of Transportation. The petition for waiver was received by the SFWMD on March 13, 2002. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 28, No. 14, on April 5, 2002.

No public comment was received.

This Order provides a waiver for proposed 2 drainage outfalls within the south right of way of C-11, Section 29, 30, 25, Township 50 South, Range 40, 41 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011 (4), (6) and (7), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the elevation of culverts within

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

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

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-35 DAO-ROW), on March 13, 2003, to Kathy Scott. The petition for waiver was received by the SFWMD on January 13, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 4, on January 24, 2003.

No public comment was received.

This Order provides a waiver for existing trees and shrubs and proposed cross fence with pedestrian gate at the west property line extended and a walkway/deck over the existing finger canal/ditch, all within the north right of way of L-47 adjacent to 8033 S.E. 99th Trail, Okeechobee County, Section 15, Township 38 South, Range 36 East. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of canal bank within Works and Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Kathy Scott from suffering a substantial hardship and a violation of the principles of fairness.

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

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2003-34 DAO-ROW), on March 13, 2003, to Glenn

Schwartz. The petition for waiver was received by the SFWMD on December 23, 2002. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 2, No. 3, on January 17, 2003.

No public comment was received.

This Order provides a waiver for 5 existing Queen Palms encroaching approximately 25 feet onto the north right of way of C-51, to remain at the rear of 240 Arlington Road, Section 15, Township 44 South, Range 43 East, Palm Beach County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of canal bank within Works and Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Glenn Schwartz from suffering a violation of the principles of fairness.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

On September 21, 2001, the Department received a request, pursuant to Section 120.542, F.S. (2000), from Sunshine Gasoline Distributors seeking a temporary waiver of the requirement for the interstitial monitoring of secondarily contained storage tank systems contained in paragraph 62-761.510(3)(d), F.A.C.

On March 4, 2003, the Department denied the request.

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on March 10, 2003, the Board of Clinical Laboratory Personnel filed an Order disposing of a petition for variance from Rule 64B3-5.002, Florida Administrative Code, filed by Karen Lowe. Rule 64B3-5.002, Florida Administrative Code, requires that an applicant for licensure as a Supervisor must have a baccalaureate degree and two years of post-baccalaureate experience. The petition was filed with the Board on January

22, 2003, and noticed in the Vol. 29, No. 7 issue of the Florida Administrative Weekly on February 14, 2003. No public comments were received.

The Order provides in summary that Petitioner has not demonstrated substantial hardship, a violation of principles of fairness, or that the underlying purposes of the statute would be achieved. Accordingly, the petition for variance from Rule 64B3-5.002, Florida Administrative Code, has been DENIED.

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

NOTICE IS HEREBY GIVEN that on March 14, 2003, the Board of Physical Therapy Practice received a Petition for Waiver from Rule 64B17-3.003, F.A.C., from Diana Figuerosa-Ortiz. The Petition requests a waiver from the rule that precludes licensure by endorsement for an applicant who failed to pass the national examination on five occasions.

Comments on this Petition should be filed with: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

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

FLORIDA HOUSING FINANCE CORPORATION

Florida Housing Finance Corporation gives notice of the entry of an Petition for Waiver of subsection 67-48.002(32) and paragraph 67-48.004(14)(b), F.A.C.

NAME OF THE PETITIONER: Barclay Forge of Hernando Co., Ltd

DATE PETITION WAS FILED: December 31, 2002

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.002(32) and paragraph 67-48.004(14)(b), F.A.C., restricts the changing developers before construction of a project is completed

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, January 17, 2003, Vol. 29, No. 3.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: March 7, 2003.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.Green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Petition for Waiver of subsection 67-48.002(32) and paragraph 67-48.004(14)(b), F.A.C.

NAME OF THE PETITIONER: Bimini Bay of Lee Co., Ltd..

DATE PETITION WAS FILED: January 9, 2003

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.002(32) and paragraph 67-48.004(14)(b), F.A.C., restricts the changing developers before construction of a project is completed.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, January 24, 2003, Vol. 29, No. 4.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: March 7, 2003.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.Green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Petition for Waiver of subsection 67-48.002(32) and paragraph 67-48.004(14)(b), F.A.C.

NAME OF THE PETITIONER: Huntington Oaks of Hillsborough Co., Ltd.

DATE PETITION WAS FILED: January 9, 2003

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.002(32) and paragraph 67-48.004(14)(b), F.A.C., restricts the changing developers before construction of a project is completed

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, January 24, 2003, Vol. 29, No. 4.
THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: March 7, 2003.
THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.
EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.Green@floridahousing.org.

Florida Housing Finance Corporation gives notice of the entry of an Petition for Waiver of subsection 67-48.002(32) and paragraph 67-48.004(14)(b), F.A.C.

NAME OF THE PETITIONER: Stratford Mill of St. John's Co., Ltd

DATE PETITION WAS FILED: January 9, 2003

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.002(32) and paragraph 67-48.004(14)(b), F.A.C., restricts the changing developers before construction of a project is completed

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, January 24, 2003, Vol. 29, No. 4.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: March 7, 2003.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

EXPLANATION OF HOW A COPY OF THE ORDER CAN BE OBTAINED: A copy of the Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301-1329. Requests for copies or inspections should be made to Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4198 or e-mail: Sherry.Green@floridahousing.org.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State** announces a public meeting of the Florida State Historical Records Advisory Board which all interested persons are invited:

DATE AND TIME: April 30, 2003, 2:30 p.m. – 4:30 p.m.

PLACE: Terrace Hotel, 329 E. Main Street, Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Board sponsored "Disaster Preparedness" Training Grant, schedule to begin July 2003, and the Board's Long-range Strategic Plan.

For further information contact: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board, Department of State, Bureau of Archives and Records Management, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6700, Suncom 205-6700.

Pursuant to Chapter 286.26, Florida Statutes, any persons requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a Notice of Public Meeting of the Seed Investigation and Conciliation Council to which all persons are invited:

DATE AND TIME: April 3, 2003, 9:30 a.m.

PLACE: North Florida Research & Education Center, 155 Research Road, Quincy, Florida 32351-5677

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seed Complaint Hearing Meeting.

For a copy of the agenda, you may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, Room L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

DEPARTMENT OF EDUCATION

The **Commission for Independent** announces a public meeting for the Accreditation Review Committee to which all persons are invited.

DATE AND TIME: April 4, 2003, 10:00 a.m.

PLACE: Keiser College, 5600 Lake Underhill Road, Orlando, Florida 332807, (407)273-5800

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider provisions for evaluating accrediting agencies applying to the Commission for Independent Education for approval.

Any person requiring further information regarding these conference calls should contact: Commission for Independent Education, Department of Education, Florida Education Center, Tallahassee, Florida 32399.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** (DCA) announces a consultation meeting with the U.S. Housing and Urban Development (HUD) and the following state administered HUD funded programs:

Florida Small Cities Community Development Block Grant Program (administered by the Department of Community Affairs)

Emergency Shelter Grants Program (administered by the Department of Children and Families)

Housing Opportunities for Persons With AIDS Program (administered by the Department of Health)

HOME Investment Partnerships Program (administered by the Florida Housing Finance Corporation)

DATE AND TIME: May 8, 2003, 1:30 – 4:00 p.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Third Floor, Kelley Training Center, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held at the request of HUD for the purpose of providing technical assistance and discussing issues related to the above-mentioned programs. Representatives from each of the state agencies are encouraged to attend. In addition, the meeting is open to the public.

For further information, please contact James Nichol at HUD's Jacksonville Office. Mr. Nichol can be reached by telephone at (904)232-1777 or email: James_N_Nichol@hud.gov. You may also contact Libby Lane at the Department of Community Affairs, telephone (850)922-1887 or email: judy.peacock@dca.state.fl.us.

Any person requiring a special accommodation at this hearing because of a disability, physical impairment or English language deficiency should contact the Department of Community Affairs, (850)487-3644, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department using the Florida Dual Party Relay System at 1(800)922-8771 (TDD).

The **Department of Community Affairs**, 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. All 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:

DATES AND TIMES: May 20, 2003, 2:00 p.m. – 4:00 p.m.; May 21, 2003, 9:00 a.m. – 4:30 p.m.

PLACE: The Betty Easley Conference Center, Room 182, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tuesday, May 20, 2003 – Staff from the Community Services Block Grant, Weatherization and Energy Assistance programs will provide an update on activities; Wednesday, May 21, 2003 – There will be a facilitated discussion on changes in the Small Cities Community Development Block Grant (CDBG) Program.

A copy of the agenda may be obtained from: Florida Department of Community Affairs, Bureau of Community Assistance, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-3644 or email: judy.peacock@dca.state.fl.us or susan.lawrence@dca.state.fl.us

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 which can be accessed by calling 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, Commercial Motor Vehicle Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2003, 8:30 a.m.

PLACE: Department of Highway Safety and Motor Vehicles, Neil Kirkman Building, 2900 Apalachee Parkway, Conference Room A-339, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Sections 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

Anyone needing an agenda or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call Rosa Seabrooks, (850)922-4483.

Special accommodation requests under the Americans With Disabilities Act should be made at least 48 hours prior to the public meeting.

A copy of the agenda may be obtained by writing: Rosa Seabrooks, Executive Secretary, Commercial Motor Vehicle Review Board, 1815 Thomasville Road, Tallahassee, FL 32303-5750.

The **Florida Transportation Commission** announces public meetings to which all persons are invited:

DATE AND TIME: April 14, 2003, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Transportation, Executive Conference Room, Room 585, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Briefing of the Florida Transportation Commission

DATE AND TIME: April 15, 2003, 8:00 a.m. – 2:00 p.m.

PLACE: Department of Transportation, Executive Conference Room, Room Number 585, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Commission at least 48 hours before the meetings by contacting Cathy Goodman, (850)414-4105.

The Florida **High Speed Rail Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 17, 2003, 9:00 a.m. – conclusion

PLACE: Raymond Sittig Hall, Kleman Plaza, 301 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Florida High Speed Rail Authority business.

Information may be obtained by contacting: Nazih Haddad, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4500.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the Authority at least 48 hours before the meetings by contacting: Betty Sizemore, (850)414-5244.

The **Department of Transportation**, District 1 announces a public hearing to which all persons are invited:

DATE AND TIME: Tuesday, April 22, 2003, 7:00 p.m.

PLACE: Woodland Baptist Church, 9607 SR 70, East, Bradenton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To afford interested persons the opportunity to express their views concerning a proposed design change to State Road 70 from Lakewood Ranch Boulevard to Lorraine Road in Manatee County, Florida, a distance of 2.3 miles. Financial Project Identification Number 4043232.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should call Charles R. Bleam, III, 1(800)292-3368. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the hearing agenda may be obtained by writing: Dick Combs, District Planning and Environmental Manager, Florida Department of Transportation, District 1, Post Office Box 1249, Bartow, Florida 33831.

The Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: April 29, 2003, 7:00 p.m.

PLACE: The Holiday Inn, 150 Park Avenue, Orange Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID 213345-1, Federal Aid Project ID 2955-264-1; otherwise known as I-295 at Collins Road and Blanding Boulevard in Duval and Clay Counties, Florida. The Florida Department of Transportation will present the findings of the Project Development and Environmental Study. The proposed project is recommending constructing a collector/distributor roadway on I-295 beginning east of Blanding Boulevard (SR-21) and ending north of Collins Road with the development of an interchange at Collins Road. Additional right of way will be required.

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 (386)758-3700 or 1(800)749-2967. Special accommodations requested under the Americans with Disabilities Act should be made at least seven (7) days prior to the Public Hearing.

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

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **Florida Hurricane Catastrophe Fund**, which is administered by the **State Board of Administration**, of a meeting of the State Board of Administration to which all persons are invited.

TIME AND DATE: 9:00 a.m. (eastern standard time) – conclusion, Tuesday, April 8, 2003

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide permission for the Florida Hurricane Catastrophe Fund (“Fund”) to file a Notice of Change with respect to Rule 19-8.013, F.A.C., and to file Rules 19-8.010, 19-8.012, 19-8.013, F.A.C., as amended by the Notice of Change 19-8.029, 19-8.030 and 19-8.031, along with the forms incorporated therein, for adoption. In addition, permission will be sought to file a Notice of Rule Hearing with respect to Rule 19-8.028, F.A.C., and other general business of the Board may be addressed.

Anyone wishing a copy of any of the Rules or forms should contact: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1341.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Citrus Abscission Registration Committee to which all persons are invited.

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

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida 33802

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will have its monthly meeting to review the progress of the abscission program, the peer review report and research plans for this 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 (863)499-2510.

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

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

PLACE: Indian River Citrus League, 7925 20th Street, Vero Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss next season’s program ideas, the Florida Xtra Sweet rule and any 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 (863)499-2510.

The **Department of Citrus** announces a public meeting of the Fresh Orange and Specialty Advisory Council to which all persons are invited.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss next season’s program ideas 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, (863)499-2510, at the above address.

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, April 9, 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, (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: *April 14, 2003, 9:30 a.m.

PLACE: Room 140, The Betty Easley Conference Center, 4075 Esplanade Way, 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 through the Florida Relay Service by using the following numbers 1(800)955-8770 (Voice) or 1(800)9558771 (TDD).

* In the event of a scheduling conflict, this meeting may be rescheduled to April 15, 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: April 15, 2003, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To 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: Division of the Commission Clerk and Administrative Services, Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

The agenda and recommendations are also accessible on the PSC Homepage, <http://www.floridapsc.com>, at no charge.

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

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

The Florida **Public Service Commission's** Division of Consumer Affairs will conduct a Complaint Handling and Informal Conference Process Review Meeting.

This meeting will address how the Division of Consumer Affairs will handle requests for informal conferences and will identify process improvements that will facilitate better communication between Consumer Affairs and regulated companies. The meeting will also address internal complaint processing changes recently implemented. Representatives from all regulated companies are encouraged to attend. Teleconferencing accommodations for this meeting have not been arranged at this time.

DATE AND TIME: Thursday, April 17, 2003, 9:30 a.m. – 3:00 p.m.

PLACE: Commission Internal Affairs Meeting Room, Room 140, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Division of Consumer Affairs's primary goal is to continue to develop processes that maximize limited resources, while providing an avenue for expedited complaint review and investigation.

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

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

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

The Florida **Public Service Commission** announces a Customer Meeting to be held in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO.: 021067-WS – Application for staff-assisted rate case in Polk County by River Ranch Water Management, L.L.C.

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

PLACE: River Ranch Saloon, 5601 Windhover Avenue, Orlando, Florida 32819

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

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

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

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the meeting.

EXECUTIVE OFFICE OF THE GOVERNOR

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission business.

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

REGIONAL PLANNING COUNCILS

The **Central Florida Regional Planning Council** will hold its public meeting and the Council's Executive Committee meeting, to which all persons are invited:

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

PLACE: Highlands County Health Department Conference Room, 7205 South George Blvd., Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting of the Council and the Executive Committee.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Regional Business Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 9, 2003, 3:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to discuss regional issues impacting South Florida including transportation.

A copy of the agenda may be obtained by writing: The Broward Workshop, 2740 East Oakland Park Boulevard, Suite 206, Fort Lauderdale, Florida 33306.

The Regional Business Alliance is comprised of business leaders from Monroe, Miami-Dade, Broward, Palm Beach, and Martin Counties, including members of the South Florida Regional Planning Council and Tri-County Commuter Rail Authority.

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 meeting above. 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.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public hearing to which all interested persons are invited.

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

PLACE: District Headquarters, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Union Land and Timber Corporation/Allen Mill Pond Addition, 144 acres +/-, Lafayette County, Florida, with funds from the Florida Forever Trust Fund.

A copy of the agenda may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, FL 32060.

If any person decides to appeal any decision made with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The Suwannee River Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions, including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact: Lisa M. Cheshire, Administrative Assistant, (386)362-1001 or 1(800)226-1066 (Florida only), Fax (386)362-1056.

The **St. Johns River Water Management District** announces the following Projects and Land Committee meetings:

PROJECTS AND LAND COMMITTEE

DATE AND TIMES: April 3, 2003, Business Meeting 3:00 p.m. – 5:00 p.m.; Public Meeting 6:00 p.m. – 7:00 p.m.

PLACE: Palm Bay Service Center, 525 Community College Parkway, S. E., Palm Bay, FL

BOAT TOUR

DATE AND TIME: April 4, 2003, 8:00 a.m.

PLACE: US 192 Boat Ramp and ending in Sanford

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting and Overview of Upper St. Johns River Basin Projects and a boat tour of project areas.

An agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling Sonia Kuecker, Water Resources Dept., (386)312-2330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting (386)329-4162. If you are hearing or speech impaired, please contact the agency by calling (386)329-4450 (TDD).

The **St. Johns River Water Management District** (SJRWMD) announces the following public meetings and hearings which may be conducted by means of or in conjunction with communications technology. All persons are invited.

MEETING OF GOVERNING BOARD CHAIR AND COMMITTEE CHAIRS

DATE AND TIME: Tuesday, April 8, 2003, 8:15 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE & ADMINISTRATION COMMITTEE MEETING

DATE AND TIME: Tuesday, April 8, 2003, 8:45 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance, Facilities/Planning/Construction, Information Technology, and Personnel agenda items followed by committee recommendations to be approved by the full Governing Board. Staff will recommend approval of external budget amendments which affect the adopted FY2002-2003 budget.

REGULATORY COMMITTEE MEETING

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

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD/REGULATORY MEETING AND PUBLIC HEARING ON LAND ACQUISITION

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

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

GOVERNING BOARD MEETING

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

PLACE: Renaissance World Golf Village, 500 South Legacy Trail (off Interstate 95), St. Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: Planning session to discuss District business including preliminary work plan and budget issues for fiscal year 2003-2004 (schedule, revenue projections, guidelines, priorities, etc.)

NOTE: In the event of a declared emergency or emergency conditions, all or part of these meetings may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained at the SJRWMD website, www.sjrwmd.com, or by writing: SJRWMD, P. O. Box 1429, Palatka, FL 32178-1429.

Any item which appears on the agenda for the Governing Board, Regulatory, and/or Committee meetings may be considered on day one or day two. Day two may be cancelled if all items are completed on day one. The order of items appearing on the agenda is subject to change during the meetings.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting: Ann Freeman, (386)329-4101. If you are hearing or speech impaired, please contact the District by calling (386) 329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS MEETING

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

PLACE: 600 South Commerce Avenue, Sebring, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of County business including discussion of SWFWMD District and Basin Board boundaries

COASTAL RIVERS BASIN BOARD MEETING

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

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

HILLSBOROUGH RIVER BASIN BOARD BUDGET WORKSHOP AND MEETING (Note: Joint meeting cancelled and change of date and location from the published year-long calendar.)

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

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

WATER CONSERVATION CONFERENCE

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

PLACE: Pinellas County Extension Service, 12175 125th Street North, Largo, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Educational sessions designed to enhance future efforts in water conservation education.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, April 11, 2003, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

MANASOTA BASIN BOARD MEETING

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

PLACE: SWFWMD, Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

These are public meetings and agendas are available by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

INDUSTRIAL ADVISORY COMMITTEE

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

PLACE: Tampa Service Office, 7601 U. S. 301 North, Tampa, Florida

PUBLIC SUPPLY ADVISORY COMMITTEE

DATE AND TIME: Friday, April 11, 2003, 9:30 a.m.

PLACE: Tampa Service Office, 7601 U. S. 301 North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Planning Department, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disabilities Act (ADA) should call 1(800)423-1476 (Florida) or 352-796-7211, Extension 4718, Fax (352)754-6875, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** announces the following public hearing to which all interested persons are invited:

DATES AND TIME: April 29, 2003, 9:00 a.m. and may be continued April 30, 2003, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands eligible to be considered for funding from the Florida Forever Trust Fund which lands are further described as follows:

Part of the Lower Cypress Creek project comprised of one parcel referred to as SWF Parcel No. 13-782-101 consisting of approximately 297.53 acres, lying in Section 4, Township 27 South, Range 19 East. The parcel abuts to and is bisected by Interstate 275, east of Livingston Road and south of County Line Road in Hillsborough County, Florida; and

Part of the Prairie/Shell Creek project comprised of one parcel referred to as SWF Parcel No. 20-649-102 consisting of approximately 146 acres. The parcel is located on the north side of the Shell Creek Reservoir, east of U.S. Highway 17 and south of Washington Loop Road North and lies in Section 20, Township 40 South, Range 24 East in Charlotte County, Florida.

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing 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 may be based.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the address above.

The District does not discriminate based on disability status. Anyone requiring reasonable accommodations under the ADA should call 1(800)423-1476 (Florida only), Extension 4452, Fax (352)754-6877, TDD ONLY 1(800)231-6103.

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

DATE AND TIME: April 3, 2003, 8:30 a.m.

PLACE: B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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

TENTATIVE MEETING DATES FOR THE MONTH OF APRIL: The following dates are being scheduled and noticed in case the Water Resources Advisory Commission decides to hold additional meetings and/or Issue Workshops at their April 3, 2003 meeting. If you're planning to attend any of the followings meetings please call the staff identified in this notice prior to the meeting date, to ensure that a meeting has not been cancelled:

DATES AND TIMES: Monday, April 7, 2003, 9:00 a.m.; Monday, April 14, 2003, 9:00 a.m.; Monday, April 21, 2003, 9:00 a.m.; Thursday, April 24, 2003, 8:30 a.m.; Monday, April 28, 2003, 9:00 a.m.

PLACE: SFWMD Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

A copy of the agenda may be obtained at the District Website seven (7) days prior to the meeting at <http://www.sfwmd.gov/gover/wrac/agendas.html>) or by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, Florida 33416-4680. 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 Paula Moree, Deputy District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact Julio Fanjul, (561)682-2769 or Paula Moree, (561)682-6447, in the Governing Board Operations Division, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

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

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

PLACE: The Contemporary Resort, Nutcracker Room, 4600 World Drive, Lake Buena Vista, FL 32830

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

PLACE: Osceola County Commission Chambers, 1 Courthouse Square, Suite 4700, Kissimmee, Florida 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED Regular Governing Board Workshop/Meeting/Audit Committee to discuss and consider District business including regulatory and non-regulatory matters.

A copy of the agenda may be obtained: (1) District Website <http://www.sfwmd.gov/agenda.html> or (2) by writing South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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: Paula Moree, Deputy District Clerk, Office of District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-3447.

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

DATE AND TIME: April 10, 2003, 8:50 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Acquisition of certain lands contained within the Save Our Rivers Land Acquisition & Management Plan which lands are further described as follows:

A copy of the agenda may be obtained: (1) District Website – <http://www.sfwmd.gov/agenda.html> or (2) by writing – South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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, Deputy Department Director, Land Acquisition, District Headquarters, 3301 Gun Club Road, Mail Stop Code 3310, West Palm Beach, FL 33406, (561)682-6271.

Part of the CRITICAL CREW (Southern Corkscrew Regional Ecosystem Watershed) project comprised of fifty parcels referred to as SFWMD Tract Nos. 09-100-007, 09-100-008, 09-100-011, 09-100-013, 09-100-014, 09-100-015, 09-100-016, 09-100-017, 09-100-018, 09-100-019, 09-100-020, 09-100-021, 09-100-022, 09-100-024, 09-100-025, 09-100-026, 09-100-027, 09-100-034, 09-003-194, 09-003-198, 09-003-434, 09-003-511, 09-003-729, 09-003-750, 09-003-756, 09-003-773, 09-003-779, 09-003-782, 09-003-783, 09-003-865, 09-003-875, 09-005-002, 09-005-013, 09-005-119, 09-005-022, 09-005-034, 09-005-126, 09-005-132, 09-005-141, 09-005-147, 09-005-149, 09-005-181, 09-005-183, 09-005-193, 09-005-194, 09-005-199, 09-005-200, 09-005-230, 09-005-270 and 09-005-271 consisting of approximately 330 acres and lying in Sections 25, 26, 31, 32, 33, 34 and 35, Township 47 South, Range 26 East within Lee County, Florida.

Part of the C-43 Basin Storage Reservoir Project comprised of one parcel referred to as SFWMD Tract No. QD-100-001 consisting of approximately 955 acres and lying in Sections 5, 7 and 8, Township 44 South, Range 28 East within Hendry County, Florida.

Part of the C-43 Basin Storage Reservoir Project comprised of one parcel referred to as SFWMD Tract No. QD-100-005 consisting of approximately 2,400 acres and lying in Sections 3, 4, 5, 9 and 10, Township 44 South, Range 28 East within Hendry County, Florida.

Part of the Kissimmee River Restoration and Headwaters Revitalization Project comprised of three parcels referred to as SFWMD Tract Nos. 19-102-081, 19-102-083 and 19-102-084 consisting of approximately 2.12 acres and lying in Section 30, Township 35 South, Range 32 East within Highlands County, Florida.

Part of the Atlantic Ridge Ecosystem Project comprised of one parcel referred to as SFWMD Tract No. X1-100-038 consisting of approximately 518 acres plus access easement and lying in Gomez Grant, Martin County, Florida.

Part of the Water Conservation Area Project comprised of five parcels referred to as SFWMD Tract Nos. 27-100-042, 27-100-050, 27-100-051, 27-100-054 and 27-100-056 consisting of approximately 760 acres, and lying in Sections 01, 02, 17, 21, and 32, Townships 49, 52 and 53 South, Ranges 35, 37 and 39 East in Miami-Dade and Broward Counties, Florida.

Part of the Comprehensive Everglades Restoration Plan (CERP) C-43 Caloosahatchee Basin Project comprised of two parcels referred to as SFWMD Tract Nos. GX-100-006 and GX-100-007 consisting of approximately 397 acres, and lying in Sections 23, 24, 25 and 36, Township 43 South, Range 28 East, Hendry County, Florida.

Part of the “Deep Water” Component of the Bird Drive Recharge Area CERP Project, comprised of one parcel referred to as SFWMD Tract No. W9-308-197 consisting of approximately 5.0 acres, and lying in Section 18, Township 54 South, Range 39 East, Miami-Dade County, Florida.

Part of the Kissimmee River Project comprised of ten parcels referred to as SFWMD Tract Nos. 19-103-554, 19-103-555, 19-103-559, 19-103-560, 19-103-561, 19-103-562, 19-103-563, 19-103-565, 19-103-566 and 19-103-567 consisting of approximately 14.0 acres, lying in Sections 21, 22 and 27, Township 36 South, Range 33 East, in Okeechobee County, Florida.

Part of the Kissimmee River Project comprised of two parcels referred to as SFWMD Tract No. 19-103-427 consisting of approximately 15 acres and Tract No. 19-103-456 consisting of approximately 0.27 acres, both lying in Section 17, Township 36 South, Range 33 East, in Highlands County, Florida.

Part of the Kissimmee River Project comprised of two parcels referred to as SFWMD Tract No. 19-102-137 consisting of approximately 9.6 acres and Tract No. 19-102-138 consisting of approximately 7.5 acres, both lying in Section 13, Township 37 South, Range 31 East, in Highlands County, 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 River Project comprised of thirty-seven parcels referred to as SFWMD Tract Nos. 19-103-519 through 19-103-534, Tract Nos. 19-103-537 through 19-103-553, Tract Nos. 19-103-660 through 19-103-662 and Tract No. 19-103-657, consisting of a total of approximately 5.0 acres all lying in Section 17, Township 36 South, Range 33 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 approximately 700 acres, all lying in Sections 28 through 32, Township 27 South, Range 30 East, 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 approximately 5 acres, all lying in Sections 24 and 25, Township 30 South, Range 30 East, 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 approximately 43 acres, all lying in Section 3, Township 31 South, Range 31 East, in Polk County, Florida.

Part of the Kissimmee Chain of Lakes Project comprised of one parcel referred to as SFWMD Tract No. 18-021-002, consisting of approximately 1 acre, lying in Section 3, Township 30 South, Range 31 East, 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 approximately 200 acres, all lying in Sections 1 and 12, Township 29 South, Range 29 East, in Polk 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 lying in Sections 1, 2, 3, 4 and 5, Township 36 South, Range 33 East, in Okeechobee County, Florida.

Part of the Kissimmee River Project comprised of nine parcels referred to as SFWMD Tract No. 19-103-481, 19-103-483, 19-103-485, 19-103-486, 19-103-645, 19-103-646, 19-103-647, 19-103-648 and 19-103-649, consisting of a total of approximately 5.0 acres, all lying in Sections 8 and 17, Township 36 South, Range 33 East, in Highlands County, Florida.

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

DATE AND TIME: April 30, 2003, 10:00 a.m. – 3:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical Oversight Committee meeting: tentative agenda includes: 1. Update on the TOC Web Board and Web Site; 2. Water Quality Conditions Report to the TOC and Water Quality Assessment Report for Water Quality Monitoring; 3. New District Water Quality Web Site with Monthly Data Updates; 4. Draft Conceptual Plan for Achieving the Long-Term Everglades Water Quality Goals; 5. Comparison of Existing and New TP Method on Low-Level TP Determinations; 6. Update on C-111 Project and Water Quality; 7. Status Report on STA 1E with Monitoring and Operational Plans and Consideration of Downstream Impacts; 8. Progress on S5A Sampling System; 9. Update on Optimization of Coastal Zone Monitoring; 10. Additional Public Comments and Date for Next TOC meeting.

A copy of the agenda may be obtained: (1) District Website – <http://www.sfwmd.gov/agenda.html> or (2) by writing – South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

Those who desire more information, please contact: Dr. Garth Redfield, Environmental Monitoring and Assessment Department, (561)682-6611, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

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: April 25, 2003, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, 3301 East Tamiami Trail, Naples, Florida (The above address shall be the designated access point for public attendance of the meeting)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Basin Business.

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

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Regular Board Meeting to which all persons are invited:

DATE AND TIME: Monday, April 21, 2003, 10:00 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

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

A copy of the regular meeting agenda may be obtained by writing Tampa Bay Water or accessed on the Web, www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Alzheimer's Center and Research Institute** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Wednesday, April 2, 2003, 5:00 p.m.

PLACE: Broad and Cassel, P.A., 100 N. Tampa Street, Suite 3500, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive Committee reports and to discuss and consider matters relating to the organization of the Florida Alzheimer's Center and Research Institute.

A copy of the agenda may be obtained in writing by contacting: Kirina K. Patel, de la Parte & Gilbert, P.A., 101 East Kennedy Boulevard, Suite 3400, Tampa, Florida 33602.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, April 15, 2003, 10:00 a.m. – 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford all interested persons the opportunity to present testimony and evidence, and to express their views concerning the adoption of amendments to the following rule: Florida Hospital Uniform Reporting System – Rule 59E-5.102, F.A.C.

A copy of the agenda may be obtained by contacting Christopher J. Augsburger, Supervisor of Financial Analysis, 2727 Mahan Drive, Mail Stop 28, Tallahassee, FL 32308 or calling Douglas E. Pierce, (850)488-8672.

Any person requiring special accommodation at this hearing, because of a disability of physical impairment, should contact Douglas E. Pierce, (850)922-7858 or e-mail: pierced@fdhc.state.fl.us, at least seven (7) days prior to the hearing.

DEPARTMENT OF MANAGEMENT SERVICES

The **Florida Black Business Support Corporation**, Loan Investment Committee announces teleconference meetings, for the next quarter, to which all interested persons are invited.

DATES AND TIME: Thursday, April 10, 2003; Thursday, May 8, 2003; Thursday, June 12, 2003, 2:00 p.m.

PLACE: Teleconference – Call (850)487-4850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider financing requests, receive reports relating to loan and investment activities, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Support Corporation, 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend these meeting, please notify the FBBSC office, (850)487-4850, at least seven (7) days prior to the meetings.

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

DATE AND TIME: Monday, April 14, 2003, 9:30 a.m.

PLACE: The Capitol Building, Room 2107, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact: Kathleen Anders, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, FL 32399-0950, (850)921-5266, at least 48 hours prior to the workshop.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

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

PLACE: Department of Business and Professional Regulation, 1940 N Monroe Street, Tallahassee, FL (Call In Number – (850)922-9912, Suncom 292-9912)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Board of Pilot Commissioners, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy**, Committee on Accounting Education, announces a public meeting to which all person are invited:

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

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications for the May 2003 CPA Examination and other items relating to the educational requirements to sit for the CPA Examination.

A copy of the 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.

Anyone wishing to participate in the meeting should notify Trencia Jenkins, (352)333-2500, Ext 120, no later than April 8, 2003.

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 Trencia Jenkins, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The following State Governmental Office, Agency and Boards announce a public meeting to which all persons are invited:

The **Executive Office of the Governor**;

The **Department of Environmental Protection**;

The **Northwest Florida Water Management District**;

The **Suwannee River Water Management District**;

The **St. Johns River Water Management District**;

The **Southwest Florida Water Management District**; and

The **South Florida Water Management District**.

DATE AND TIME: Monday, April 7, 2003, 9:00 a.m. – 2:30 p.m.

PLACE: Cabinet Room, LL-03, The Capitol, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss statewide and district-specific water resource and management issues, which may include district budget processes, orientation of new board members, networking among the department and districts, legislative initiatives, and coordination of federal issues and programs.

A copy of the agenda may be obtained by writing: Ms. Sally B. Mann, Director of Intergovernmental Programs, Department of Environmental Protection, 3900 Commonwealth Blvd., MS 47, Tallahassee, Florida 32399-3000, (850)245-2163.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Bureau of Personnel Services, (850)245-2511. If you are hearing or speech impaired, please contact the Florida Relay Service by calling 1(800)955-8771 (TDD).

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

The **Department of Environmental Protection** announces a public hearing of the Governor and Cabinet, sitting as the Power Plant Siting Board

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

PLACE: Cabinet Hearing Room, Lower Level, State Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the Administrative Law Judge's Recommended Order in the case of Florida Power & Light Company's Martin Unit 8 natural gas-fired combined cycle project, Power Plant Siting Application PA89-27A, DOAH Case No. 02-0573EPP, OGC Case No. 02-0197.

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

The **Department of Environmental Protection** announces a public hearing of the Governor and Cabinet, sitting as the Power Plant Siting Board

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

PLACE: Cabinet Hearing Room, Lower Level, State Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the Administrative Law Judge's Recommended Order in the case of Florida Power & Light Company's Manatee Unit 3 natural gas-fired combined cycle project, Power Plant Siting Application PA02-44, DOAH Case No. 02-0937EPP, OGC Case No. 02-0317.

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

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

DATES AND TIMES: May 12, 2003, 10:00 a.m.; continuing May 13, 2003, 9:00 a.m., if necessary

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take testimony and evidence concerning the environmental effects and any other appropriate matters regarding the site certification of the proposed Florida Power/Progress Energy Corporation, Hines energy Complex, Power Block 3 power project, DOAH Case No. 02-3529EPP, DEP-OGC Case No. 02-1544, Power Plant Siting Application No. 92-33SA2, pursuant to the Florida Electrical Power Plant Siting Act, ss. 403.501-.518, Florida Statutes.

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

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Office of the Secretary, on behalf of the Biomedical Research Advisory Council, announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, April 3, 2003, 9:00 a.m. – 5:00 p.m.; Friday, April 4, 2003, 9:00 a.m. – 12:00 Noon

PLACE: Alfred B. Maclay Gardens State Park, Gardener's Cottage, 3540 Thomasville Road, Tallahassee, FL 32309, (850)487-4556

GENERAL SUBJECT MATTER TO BE CONSIDERED: This retreat will include the discussion of the Biomedical Research Program's long-term planning goals and D.O.H. policies.

CONTACT: To ensure adequate space, observers are asked to contact Selina Griffith, (850)245-4444, Ext. 3933 by 12:00 Noon on April 2, 2003, to confirm attendance or to request accommodations such as listening devices, large print, sign language interpretation or other accommodations for persons with disabilities.

IMPORTANT NOTE: Please notify the ranger at the park entrance that you are there to attend attend the Department of Health meeting at Gardener's Cottage and you will be admitted.

The Florida **Board of Medicine**, Probable Cause Panel (South), announces a telephone conference call to be held via meet me number.

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

PLACE: Meet Me Number (850)488-5776, Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Florida **Board of Medicine**, Probable Cause Panel (North), announces a telephone conference call to be held via meet me number.

DATE AND TIME: April 25, 2003, 2:00 p.m.

PLACE: Meet Me Number (850)488-8295, Suncom 278-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 322317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The **Board of Optometry**, Probable Cause Panel will hold a duly noticed meeting, to which all persons are invited to attend.

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

PLACE: Capital Circle Office Complex, Department of Health, 4042 Bald Cypress Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

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

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

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

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

DATE AND TIME: Friday, April 11, 2003, 8:30 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Building 4042, 3rd Floor, Room 301, Tallahassee, Florida

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

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

DATE AND TIME: April 14, 2003, 4:00 p.m. – 6:00 p.m.

PLACE: Embassy Suites, 1110 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

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, Page Merkison, (850)245-4292, Ext. 3600, 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 which can be reached at 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**, Public and Professional Affairs Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2003, 5:00 p.m. – 6:00 p.m.

PLACE: Embassy Suites, 1110 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

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, Page Merkison, (850)245-4292, Ext. 3600, 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 which can be reached at 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, Boards of Physical Therapy Practice and Orthotists and Prosthetists** announce a meeting to which all interested persons are invited.

DATE AND TIME: April 21, 2003, 10:00 a.m. or soon thereafter

PLACE: Tampa Airport Marriott, Tampa International Airport, 5503 Spruce Street, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Committee of the Boards of Physical Therapy Practice and Orthotists and Prosthetists.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Tallahassee, FL 32399-3255, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services** announces a meeting of the Marion County Children's Alliance Committee to which all persons are invited.

DATE AND TIME: Wednesday, April 2, 2003, 12:00 Noon

PLACE: Marion County Sheriff's Office, 692 N. W. 30th Ave., Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785.

Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, (352)330-2177.

The Florida **Department of Children and Family Services** announces a meeting of the Hernando County Community Alliance to which all persons are invited.

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

PLACE: Pinebrook Hospital, 14540 Cortez Blvd., Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, (352)330-2177.

The Florida **Department of Children and Family Services** announces a meeting of the Hernando County Community Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Wednesday, April 9, 2002, 10:00 a.m.

PLACE: Pinebrook Hospital, 14540 Cortez Blvd., Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, (352)330-2177.

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited.

DATE AND TIME: Friday, April 25, 2003, 8:30 a.m. – 12:00 Noon

PLACE: Hibiscus Children's Center, Route 707, P. O. Box 305, Jensen Beach, FL 34958

For more information, please contact: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174

SPECIAL ACCOMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the

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

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Families**, District 15, announces the following public meeting to which all persons are invited:

Executive Committee:

DATES AND TIME: April 2, 9, 16, 23, 30, 2003, 8:00 a.m. – 5:00 p.m.

PLACE: Clem C. Benton Bldg., Room 327-D, 337 N. U.S. Hwy #1, Ft. Pierce, Florida 34950

For more information, please contact: Betty Robinson, CBC Liaison, 337 North 4th Street, Room 327, Fort Pierce, Florida 34950, (561)467-4174

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (561)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Children and Family Services** announces a meeting of the Citrus County Shared Services Alliance Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, April 25, 2003, 10:00 a.m.

PLACE: Citrus County School Board Office, 1007 W. Main Street, Inverness, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Chapter 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, (352)330-2177.

The Florida **Statewide Advocacy Council** (FSAC) announces meetings for all Statewide Advocacy Council Members, including the Chair, Vice-Chair, Executive Director, Administrative Office Staff and Local Advocacy Council Members approved by the Local Chair to attend. Parts of the meetings are open to the public.

DATE AND TIME: Meetings for 2003 – March, May, July, September and November (Agenda's are set the month prior to the meeting and are subject to change. For agenda's or further information call (850)488-6173 or SunCom 278-6173)

CONFERENCE CALLS: Conference calls will be held as follows:

DATES AND TIME: April 2 and 16, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Call in number – (850)922-2903 or Suncom 292-2903

DATES AND TIME: April 30, 2003; May 7, 2003; June 4 and 18, 2003; July 2 and 16, 2003; August 6 and 20, 2003; September 10, 2003; October 8 and 22, 2003; November 5 and 26, 2003; December 10, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Call in number – (850)410-0967 or SunCom 210-0967

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited:

DATE AND TIME: Friday, April 4, 2003, 10:00 a.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

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

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

COUNCIL FOR EDUCATION POLICY, RESEARCH AND IMPROVEMENT

The **Council for Education Policy, Research and Improvement** announces a public meeting.

DATE AND TIME: Wednesday, April 9, 2003, 8:30 a.m. – 5:00 p.m.

PLACE: St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will consider proposed baccalaureate degrees to be offered by a community college. The Council will also discuss strategic imperatives to be addressed in the Master Plan and other ongoing assignments.

Related material may be accessed at the Council website: www.cepri.state.fl.us.

A workshop for Council members and staff will be held on the evening of April 8, 2003, and a conference call may be scheduled one week after the Council meeting to address any follow-up required. If so, the time and contact number will be posted on the Council website.

For further information, contact the Council office, (850)488-7894.

FLORIDA HEALTHY KIDS CORPORATION

The **Florida Healthy Kids Corporation** announces its Board of Directors meeting to which all persons are invited to attend.

DATE AND TIME: April 9, 2003, 10:00 a.m.
PLACE: Radisson Hotel Tallahassee, 415 N. Monroe St., Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors and Public Hearing. Further details and an agenda for the meeting may be obtained by contacting: Florida Healthy Kids Corporation, P. O. Box 980, Tallahassee, FL 32302, (850)224-5437.

SELF-INSURERS GUARANTY ASSOCIATION

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

DATE AND TIME: Thursday, April 10, 2003, 2:00 p.m.
PLACE: Florida Hotel and Motel Association Building, 200 W. College Avenue, Suite 115, Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

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

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

DATE AND TIME: Friday, April 11, 2003, 10:00 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.

GOVERNMENTAL FINANCING COMMISSION

The **First Florida Governmental Financing Commission** announces the following special public meeting, where all interested parties are invited:

DATE AND TIME: Friday, April 11, 2003, 11:00 a.m.
PLACE: Room 215, City Hall, City of Hollywood, 2600 Hollywood Boulevard, Hollywood, Florida
A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 14923, Tallahassee, FL 32317-4923, (850)878-1874.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN that the Department of State, State of Florida, has received a declaratory statement filed by Kevin Earl Wood. Docket No. 03-02.

In the Petition Wood requests the Department to issue a Declaratory Statement whether persons in charge of holding testimonials on behalf of elected state public officers are required to file a notice of intent and subsequent 90 day financial report under Section 111.012, Florida Statutes, when such testimonials are characterized as "roasts."

A copy of the Petition may be obtained by writing: Agency Clerk, Melanie Solomon, Department of State, Office of the General Counsel, R. A. Gray Building, 500 South Bronough Street, Room 123, Tallahassee, Florida 32399-0250.

DEPARTMENT OF INSURANCE

NOTICE IS HEREBY GIVEN that the Office of Insurance Regulation has received a petition for a declaratory statement from United Automobile Insurance Company ("United"). The petition seeks the agency's opinion as to the applicability of Section 626.729, Florida Statutes, as it applies to the petitioner.

A copy of the petition may be obtained by contacting: Richard J. Santurri, Office of Insurance Regulation, Legal Services Office, 200 East Gaines Street, Tallahassee, Florida 32399-4206, (850)413-4188.

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, has issued a final order In Re: Petition for Declaratory Statement, Blue Tree Resort at Lake Buena Vista Condominium Association, Inc., Petitioner; Docket Number TD2003-002.

The division declined to issue a declaratory statement because the parties are presently in court seeking a declaratory judgment on the issue.

A copy of the final order 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.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has

issued a declaratory statement In Re: Petition for Declaratory Statement, Gerald M. Avanozian, Unit Owner, The Commodore Condominium, Petitioner; Docket Number CD2002-061.

The declaratory statement provided, in summary, that in accordance with Section 718.112(2)(f)3., Florida Statutes (2002) and subsections 61B-22.003(1)-(2) and 61B-22.005(3), Florida Administrative Code. The Commodore Condominium Association may establish a general maintenance reserve account to pool funds for specific reserve items and may transfer funds from this account to a separate deferred maintenance reserve account if a majority of the unit owners vote to approve the use of the general reserve funds to pay the cost of replacing or performing deferred maintenance of a separately budgeted reserve item by transferring a specified amount of money from the general reserve fund to a separately budgeted reserve asset for that purpose.

A copy of the declaratory statement 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.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement In Re: Petition for Declaratory Statement, Decoplage Condominium Association, Inc., Petitioner; Docket Number CD2002-063.

The declaratory statement provided, in summary, that an applicant's e-mail address, which is collected as part of the association's approval process in the transfer of units, is accessible to unit owners under Section 718.111(12)(c), Florida Statutes (2002).

A copy of the declaratory statement 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Wildlife Conservation Commission received a Petition for Declaratory Statement on March 18, 2003, from Ronald Fred Crum and Keith Ward. Petitioners seek the agency's opinion as to whether nets of 500 square feet or less with a mesh size for targeted species of finfish to maximize selectivity and constructed of lawful twine to maximize catchability may be used in nearshore and inshore Florida waters, and whether such a net violates Article X, § 16(b)(2) of the Florida Constitution.

A copy of the petition may be obtained by writing: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Louis Dreyfus Citrus, Inc., Tampa Juice Service, Inc., Pasco Beverage Company and Juice Source, L.L.C. vs. Department of Citrus; Case No.: 03-0595RP; Rule No.: 20-15

Florida Water Environment Association vs. Department of Environmental Protection; Case No.: 03-0752RP; Rule No.: 62-40

City of St. Petersburg vs. Department of Environmental Protection; Case No.: 03-0753RP; Rule No.: 62-40

Pinellas County vs. Department of Environmental Protection; Case No.: 03-0878RP; Rule No.: 62-40

City of Delray Beach vs. Department of Environmental Protection; Case No.: 03-0889RP; Rule No.: 62-40

Delta Health Group, Inc., d/b/a Maitland Health Care Center vs. Agency for Health Care Administration; Case No.: 03-0629RU

Canaan Ranch Partnership vs. Suwannee River Water Management District; Case No.: 03-0702RU

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

Delta Health Group, Inc., d/b/a Maitland Health Care Center vs. Agency for Health Care Administration; Case No.: 03-0629RU; Voluntary Withdrawal

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

NONE

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

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 03L-67, Housing Project BR131-299, Diamond Village Building 299 Renovation, estimated budget: \$400,000-\$450,000, to be opened April 24, 2003, at 3:00 p.m. Local Time. Scope of work: Interior spaces are vacant and scheduled for partial demolition followed by the reconstruction with new materials. A complete new mechanical split system is included. Portions of the existing electrical and plumbing systems will be re-used. Specifications and Plans are available in Central Purchasing, Elmore Hall, Radio Road, Gainesville, FL 32611, (352)392-1331. A Mandatory Pre-Bid Meeting will be held April 8, 2003, at 1:30 p.m. at Diamond Commons, corner of Diamond Road and S. W. 13th Street, Gainesville, FL. All questions should be directed to A.J. Sontag, Associate Director, UF Purchasing (352)392-1331 Ext. 304. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 03L-71, W/O 586561, Matherly Hall Electrical Upgrade, estimated budget: \$250,000-\$300,000, to be opened April 24, 2003, at 2:00 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Replacement of the entire interior electrical distribution system, including service entrance switchboard, secondary service lateral from the existing pad-mounted transformer, interior panelboards and feeders, and ancillary architectural work in support of the electrical construction to include construction of a new office with a new air conditioning unit, a new storage room, and new closets to enclose the new panelboards. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, (352)392-1331. A Mandatory Pre-bid

Meeting will be held April 10, 2003, at 1:00 p.m. in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to A.J. Sontag, C.P.M., Associate Director, UF Purchasing (352)392-1331 Ext. 304. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that professional services for minor projects are required in the disciplines of mechanical/electrical engineering. The University is interested in contracting with up to three firms to provide electrical/mechanical engineering services.

Minor projects are specific projects for construction, renovation, alterations or 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 minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1, 2003 – June 30, 2004 beginning with the start date of the contract. At the option of the University and the consultant, the contract may be renewed for a second year.

Firms desiring to provide professional services shall apply by letter specifying the campus service agreement 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. A completed Florida State University "Professional Qualifications Supplement," dated June, 2002. Applications on any other form, or on versions dated prior to 6/02, 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 in the State of Florida to practice the required profession at the time of application. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound 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 campus service 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 \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained on line at www.fpc.fsu.edu or by contacting: Lynetta Mills, Facilities Planning and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843, (850)644-8351 facsimile

For further information on campus service projects, contact: Ms Betsy Parks, at the address and phone listed above.

Submittals must be received at the above location, by 2:00 p.m., local time, on Tuesday, April 29, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

CALL FOR BIDS:

Made by the "University of North Florida Board of Trustees, a public body corporate"

PROJECT NAME, NUMBER & LOCATION: Removal of Portables 816, 819 & 820, University of North Florida, 4567 St. Johns Bluff Road, Jacksonville, Florida 32245.

GENERAL SCOPE: Complete removal of three portable buildings and associated site improvements and utilities.

QUALIFICATIONS: 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:

DATE AND TIME: Tuesday, April 29, 2003, until 2:00 p.m., local time

PLACE: University of North Florida, Building 5, (Physical Facilities) Conference Room, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224 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: Junck & Walker Architects/Planners, Inc., 8111 Old Kings Road South, Suite 2A, Jacksonville, FL 32217, (904)731-4033.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Commission on Minority Economic and Business Development (formerly certification done by Department of Management Services.)

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is required 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, April 15, 2003, 2:00 p.m., local time

PLACE: University of North Florida, Building 5, (Physical Facilities) Conference Room, 4567 St. Johns Bluff Road, Jacksonville, Florida 32224

DEPOSIT: A deposit of \$20.00 per Project Manual and drawings is required with a limit of three (3) sets per General Contractor or Prime Bidder.

REFUND: The deposit shall only be refunded to those General Contractors, Prim Bidders, 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 \$20.00 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 \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

REQUEST FOR PROPOSALS

THE SCHOOL BOARD OF PUTNAM COUNTY IS REQUESTING PROPOSALS FOR PROVIDING CONSTRUCTION MANAGEMENT-AT-RISK SERVICES FOR THE FOLLOWING PROJECT LOCATED AT MELROSE ELEMENTARY SCHOOL, 401 STATE ROAD 26, MELROSE, FLORIDA 32666:

- REMODELING OF ADMINISTRATION OFFICES (2,453 SF)
- REMODELING OF EXISTING MEDIA BUILDING (1,190 SF)
- NEW CONSTRUCTION OF A NEW MEDIA CENTER (4,000 NSF)
- NEW COVERED PLAY AREA (2,100 SF)

THE SCOPE OF WORK INCLUDES PRE-CONSTRUCTION SERVICES INCLUDING DESIGN REVIEW, VALUE ENGINEERING AND COST CONTROL, AND THE DEVELOPMENT OF A GUARANTEED MAXIMUM PRICE FOR COMPLETE CONSTRUCTION.

CONSTRUCTION MANAGEMENT FIRMS INTERESTED IN PROVIDING CONSTRUCTION MANAGEMENT AT RISK SERVICES TO THE SCHOOL BOARD ARE HEREBY NOTIFIED THAT FIVE (5) SEALED

PROPOSALS WITH THE FOLLOWING REQUIRED INFORMATION WILL BE RECEIVED NO LATER THAN 3:30 P.M., LOCAL TIME, APRIL 4, 2003 AT THE DISTRICT SCHOOL BOARD MAINTENANCE OFFICE, 124 WEST LOUIS BROER ROAD, EAST, PALATKA, FLORIDA 32131, (386)329-0550:

1. A LETTER OF INTEREST.
2. CERTIFICATES EVIDENCING THAT INSURANCE COVERAGES ARE IN FORCE:

“All professional firms selected by the Board pursuant to the Consultants’ Competitive Negotiations Act F.S. 287.055, for a construction project with an estimated construction cost exceeding Two Hundred Thousand Dollars (\$200,000) or a planning activity exceeding a Twenty-five Thousand Dollar (\$25,000) fee, will carry and maintain during the period they are performing such services, and thereafter as referenced below, as a minimum, the following insurance coverages and limits:

1. Commercial Comprehensive Liability Insurance (including blanket contractual liability and completed operation, explosion, collapse, and underground hazards) in limits of not less than Five Million Dollars (\$5,000,000), with no deductibles, covering personal injury, death, sickness or disease, bodily injury, and property damage, including loss of use. The coverage may be provided in a primary policy or umbrella policy. The umbrella, however, will stipulate that the excess coverage is no less broad than the primary coverage. The Owner will be added as an additional insured.
2. Comprehensive Automobile Liability Insurance (including hired and non-owned vehicles, if any) in limits of One Million Dollars (\$1,000,000) per occurrence, covering personal injury, death, bodily injury, and property damage.
3. Workers’ Compensation Insurance in compliance with F.S. 440, with unlimited employer’s liability coverage.
4. Builder’s Risk Insurance with a deductible not to exceed One Thousand Dollars (\$1,000) per incident, for the total amount of the contract as established by the Insurance Services Office (ISO).
5. Owner’s and Contractor’s Protective Liability Insurance in an amount not less than Five Million Dollars (\$5,000,000), with no deductible, covering personal injury, death, sickness or disease, bodily injury and property damage, including loss of use. The Owner will be named insured under this policy.
6. Public Construction Bond in compliance with F.S. 255.05 (or a performance bond and a labor and material payment bond in compliance with F.S. 255.05) guaranteeing that the construction management firm will perform its obligations under the contract and will pay for all labor and materials furnished for the work. Such bond will be:
 - A. Issued in a form and by a surety reasonably acceptable to Owner with a minimum rating by the most recent Best’s Rating Classification of Class IV for contract sums less than \$1,000,000; Class VI for contract sums more than \$1,000,000 and less than 2,000,000; and, Class VII for contract sums in excess of \$2,000,000.
 - B. Submitted to Owner for approval as to form.
 - C. Name the Owner as obligee.
 - D. Will be in an amount equal to at least 100% of the contract sum (as the sum may be adjusted from time to time pursuant to the contract).
 - E. Contain a specific provision holding the surety liable for any consequential delay damages, liquidated or unliquidated, caused by the construction management firm’s breach under the contract. The construction management firm will deliver the executed, approved bonds to the Owner contemporaneous with the execution of the Agreement. Notwithstanding any provision of Florida Statutes or language of the bond, the Statute of Limitations for actions against the surety due to the alleged nonperformance (other than the delivery of labor or materials) of the construction management firm will be the same length of period as the Statute of Limitations for actions against the construction management firm.
7. Certification evidencing that all of the above insurance coverages and limits are in force will be furnished to the Board before any services are performed, and will require written notification to the Board at least thirty (30) days prior to any cancellation, termination, non-renewal, or modification.
8. All insurance will be with insurers authorized to do business in Florida and all non-self insurance companies will be rated at least a VI by Best’s Key Rating Guide.
9. If the construction manager should fail to provide or otherwise maintain the required insurance coverages and limits, the Board may purchase the insurance and hold the construction manager responsible for the cost thereof.”
3. A NOTARIZED STATEMENT OF FINANCIAL STATUS.
4. A SWORN STATEMENT ON PUBLIC ENTITY CRIME, AS REQUIRED BY F.S. 287.133 (3) (a).
5. A LIST OF DESIGN-BUILD, CONSTRUCTION MANAGEMENT, OR PROGRAM MANAGEMENT PROJECTS OF SIMILAR SIZE AND COMPLEXITY, INCLUDING THE NAME, ADDRESS, PHONE AND CONTACT PERSON OF THE ARCHITECTS AND OWNERS.
6. BONDING CAPACITY OF FIRM APPLYING.
7. DESCRIPTION OF THE PROGRAM MANAGEMENT TECHNIQUES, AND COST CONTROL TECHNIQUES USED ON SIMILAR PROJECTS.

8. IDENTIFICATION OF LITIGATION, MAJOR DISPUTES, CONTRACT DEFAULTS, AND LIENS OVER THE PAST FIVE (5) YEARS IN WHICH THE FIRM HAS BEEN INVOLVED.
9. A HISTORY OF PROJECT COMPLETION DATES FOR SIMILARLY SIZED PROJECTS, IN RELATION TO THE CONTRACT AWARD SCHEDULE OVER THE PAST THREE (3) YEARS. SUBMIT NO MORE THAN FIFTEEN (15) PROJECTS.

THE SCHOOL BOARD MAY REJECT ALL APPLICANTS, MAY STOP THE SELECTION PROCESS AT ANY TIME, AND RESERVES THE RIGHT TO WAIVE ANY INFORMALITIES IN THE SELECTION PROCESS AND TO REJECT ANY AND ALL STATEMENTS OF QUALIFICATIONS.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF FUNDING AVAILABILITY

The Florida Department of Community Affairs (DCA), State Energy Program (SEP) announced funding availability for Federal Fiscal year 2003 under the State Energy Program Special Projects on February 13, 2003 to eligible Applicants. All proposals are required to be submitted by the State Energy Office.

The proposals for The Clean Cities, Industries of the Future and Building Codes and Standard are due to DCA April 18, 2003. Up to 16,600,00 nationwide is available for award to eligible applicants to carry eligible activities.

The proposals for Rebuild America, Building America, Federal Energy Management Program, Solar Technology Program, State Wind Energy Support and Distributed Energy and Electric Reliability (DEER) – Transmission Reliability, Energy Storage, and Interconnection are due to DCA April 22, 2003.

The proposals for Distributed Energy and Electric Reliability (DEER) – Regional Combined Cooling, Heating and Power (CHP) Applications Center, Distributed Energy and Electric Reliability (DEER) – High Temperature Superconductivity, State Outreach Centers, Geothermal Outreach, Biomass, Residential Deployment, Fuel Cell Demonstration and Coordinated Public Education Activities are due to DCA April 24, 2003.

Proposals may be either hand delivered or sent by U.S. Mail or other licensed carrier and must be received on or before the deadline by the State Energy Program, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

For further information, prospective applicants should contact: Essie Turner, Administrative Assistant, (850)488-2475. Interested parties may also address inquiries to: State Energy

Program, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

REGIONAL PLANNING COUNCILS

Request for Letters of Interest

The North Central Florida Regional Planning Council, is seeking letters of interest and statements of qualifications from agencies or firms interested in coordinating transportation services for the transportation disadvantaged in Lafayette County, Florida. The selected contractor will be the designated Community Transportation Coordinator for Florida’s Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2, Florida Administrative Code. Experience with eligibility-based transportation services is required.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes, as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2), Florida Statutes.

The transportation disadvantaged are defined by Chapter 427, Florida Statutes, as “those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities, or children who are handicapped or high-risk or at-risk as defined in s. 411.202, Florida Statutes.”

Interested providers are required to provide proof of qualifications in the following areas: coordination experience, scheduling and routing software used by the organization and vehicle acquisition. Letters of interest and qualifications should be limited to four (4) pages.

Potential providers should submit their expression of interest and qualifications in a sealed envelope to: North Central Florida Regional Planning Council, Attention: Charles F. Justice, Executive Director, 2009 N. W. 67th Place, Suite A, Gainesville, Florida 32653-1603. Letters must be marked, “LETTER OF INTEREST AND QUALIFICATIONS FOR LAFAYETTE COUNTY COMMUNITY TRANSPORTATION COORDINATOR.” Letters of interest and qualifications must be received by 5:00 p.m., May 2, 2003.

Faxed and e-mailed responses will not be accepted. Late letters will be returned unopened with the notation, "This letter of interest was received after the delivery time designated for receipt and opening in the legal notice." Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator.

The North Central Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE REGARDING ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2. of the Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement:

http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

SEALED BIDS ARE SOUGHT TO SECURE THE PURCHASE OF A SIXTY FOOT TELESCOPIC BOOM FOR THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES, DISTRICT ELEVEN, SOUTH FLORIDA EVALUATION AND TREATMENT CENTER. SEALED BIDS WILL BE RECEIVED UNTIL 11:00 A.M. (EST), MONDAY, APRIL 14, 2003. BID CONDITIONS AND SPECIFICATIONS MAY BE OBTAINED FROM EDUARDO HERNANDEZ, PURCHASING DIRECTOR, SOUTH FLORIDA EVALUATION AND TREATMENT CENTER, 2200 N. W. 7th AVENUE, MIAMI, FLORIDA 33127, (305)637-2677.

DEVELOPMENTAL DISABILITIES COUNCIL

Two Invitations to Negotiate (ITN)

The Florida Developmental Disabilities Council (FDDC) announces the availability of two Invitations to Negotiate (ITN). Copies of both ITNs can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing or calling FDDC, 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD toll free 1(888)488-8633. Register for electronic (email) notice of future FDDC ITNs or RFPs by going to the website (www.fddc.org) and click on the "RFPs" button near the top of the page. Then, click on the "Sign up" line and follow the instructions.

The Training ITN (ITN 2003-IP-100) is to provide opportunities for public and private sector agencies, institutions, direct care providers and other interested individuals to conduct workshops, training sessions, and conferences that are directed at enhancing the quality of life for families and individuals with developmental disabilities in their community and reflect the FDDC's mission and goals.

The amount and type of each contract will be developed during contract negotiations. Respondents should submit proposals not exceeding \$15,000.

There is no deadline for the Training ITN. Proposals will be reviewed on a quarterly basis or until funds for the Training ITN are depleted.

The Innovative ITN (ITN 2003-IP-200) is to develop creative and innovative initiatives within Florida that address the needs of Floridians with developmental disabilities by creating systemic changes that enhances their independence, productivity and inclusion within their community. The amount of funds available will be approximately \$159,600 (amount subject to the availability of funds.) It is anticipated one to three projects will be awarded based on this ITN. The deadline for submitting written questions for the Innovative ITN is 4:00 p.m. on April 25, 2003. The answers to the written questions will be posted on FDDC website on or before May 2, 2003. The deadline for submitting letters of intent is 4:00 p.m. (EST) on April 30, 2003. The deadline for submitting proposals is 4:00 p.m. (EST) on May 16, 2003.

COUNCIL ON AGING OF VOLUSIA COUNTY

INVITATION TO BID – MEAL SERVICE

The Council on Aging of Volusia County, Inc., is seeking qualified bidders to produce daily meal service to our Congregate and Meals on Wheels program. Successful bidder must be able to provide service 5 days per week, Monday through Friday (except holidays).

Bids are due May 9, 2003, by 2:00 p.m.

For further information and to obtain bid specifications, contact: Cherry Smith, Nutrition Director, (386)253-4700, Ext 247.

Section XII Miscellaneous

DEPARTMENT OF BANKING AND FINANCE

SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Office of Financial Institutions and Securities Regulation, on January 31, 2003, issued a Notice of Intent to Enter a Final Order Approving or Denying Recovery from the Securities Guaranty Fund and Notice of Rights in Administrative Proceeding No. 3553-S-12/02 to Darrow Gene Powless, CRD #2735277. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301, or 28-107.004, Florida

Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk
Department of Financial Services
Office of Financial Institutions
and Securities Regulation
Suite 526, Fletcher Building
200 East Gaines Street
Tallahassee, Florida 32399-0379

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE OFFICE WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS SET FORTH IN THE NOTICE OF INTENT.

SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Office of Financial Institutions and Securities Regulation ("Office"), statutory successor to the Department of Banking and Finance (the "Department"), on December 20, 2002, issued a Notice of Intent to Enter a Final Order Approving or Denying Recovery from the Securities Guaranty Fund and Notice of Rights in Administrative Proceeding No. 3476-S-12/02 to Randall E. Prince, CRD #2823451. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301, or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk
Department of Financial Services
Office of Financial Institutions
and Securities Regulation
Suite 526, Fletcher Building
200 East Gaines Street
Tallahassee, Florida 32399-0379

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT,

AND THE OFFICE WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS SET FORTH IN THE NOTICE OF INTENT.

SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Office of Financial Institutions and Securities Regulation, on January 6, 2003, issued a Notice of Intent to Enter a Final Order Approving or Denying Recovery from the Securities Guaranty Fund in Administrative Proceeding No. 3537-S-10/02 in regards to the claim of Richard and Virginia Stockton, jointly against Baxter, Banks & Smith, LTD, CRD No. 40771. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301 or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk
Department of Financial Services
Office of Financial Institutions
and Securities Regulation
Suite 526, Fletcher Building
200 East Gaines Street
Tallahassee, Florida 32399-0379

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE OFFICE WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS SET FORTH IN THE NOTICE OF INTENT.

NOTICE OF FILINGS

Office of Financial Institutions and Securities Regulation
Notice is hereby given that the Office of Financial Institutions and Securities Regulation has received the following application. Comments may be submitted to the Deputy Director, Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Institutions and Securities Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., April 18, 2003):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
 Applicant and Proposed Location: Integrity Bank, 1315 West
 Indiantown Road, Jupiter, Florida 33458

Correspondent: Joseph D. St. Clergy, P. O. Box 8952, Jupiter,
 Florida 33468-8952

Received: March 13, 2003

The Office of Financial Institutions and Securities 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.

Name and Address of Applicant: Power 1 Credit Union, 6450
 West 21st Court, Hialeah, Florida 33016

Expansion Includes: Individuals and their immediate families
 that work, live or worship in Hallandale, Miramar, Hollywood,
 Hialeah, and Miami Lakes, Florida.

Received: March 10, 2003

Name and Address of Applicant: PGA Credit Union, P. O Box
 30789, Palm Beach Gardens, Florida 33420

Expansion Includes: Residents of PGA National, Palm Beach
 Gardens, Florida; Residents of PGA Village, St. Lucie, Florida.

Received: March 17, 2003

DEPARTMENT OF EDUCATION

NOTICE REGARDING ELECTRONIC POSTING

Pursuant to Section 287.042(3)(b)2., Florida Statutes, the
 DeSoto County School District hereby provides notice of the
 following URL for the centralized website that will be used for
 electronically posting solicitations, decisions or intended
 decisions, and other matters relating to procurement:

<http://desotoschools.com/purchasing.htm>

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA03-OR-082

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: POLK COUNTY LAND DEVELOPMENT
 REGULATIONS ADOPTED BY POLK COUNTY
 ORDINANCE NOS. 02-83, 02-84, and 02-88

FINAL ORDER

The Department of Community Affairs (the "Department")
 hereby issues its Final Order, pursuant to §§ 380.05(6) and
 (11), Fla. Stat., (2002), approving Polk County Ordinance Nos.
 02-83, 02-84, and 02-88.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area
 of critical state concern, and Polk County is a local government
 within the Green Swamp Area.

2. On January 27, 2003, the Department received for
 review Polk County Ordinance Nos. 02-83, 02-84, and 02-88
 which were adopted by the Polk County Board of County
 Commissioners ("Ordinances"). Ordinance No. 02-83 amends
 the Polk County Land Development Code ("Code") to include
 golf driving ranges to the definition of recreational facilities,
 high intensity. Additional standards are also added to all uses
 within the recreational facilities, high intensity district.
 Ordinance No. 02-84 amends the regulations in several
 portions of the Code. The most relevant change is that the
 amendment provides specific subcategories for the term "open
 space". This change will ensure that areas designated as "open
 space" and intended for conservation or habitat protection will
 be used for those specific purposes. Ordinance 02-88 amends
 the Code regulations pertaining to structure height limits and
 interior side and rear setbacks in all districts.

3. The Ordinances are consistent with the County's
 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land
 development regulations that are enacted, amended or
 rescinded by any local government in the Green Swamp Area
 of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.
 (2002).

5. Polk County is a local government within the Green
 Swamp Area of Critical State Concern. § 380.0551, Fla. Stat.
 (2002) and Rule Chapter 28-26, Fla. Admin. Code.

6. "Land development regulations" include local zoning,
 subdivision, building and other regulations controlling the
 development of land. § 380.031(8), Fla. Stat. (2002). The
 regulations adopted by the Ordinances are land development
 regulations.

7. All land development regulations enacted, amended or
 rescinded within an area of critical state concern must be
 consistent with the principles for guiding development for that
 area. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of
 Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd,
 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for
 guiding development in the Green Swamp Area of Critical
 State Concern are set forth in Rule 28-26.003, Fla. Admin.
 Code. ("Principles").

8. Ordinance Nos. 02-83, 02-84, and 02-88 are consistent
 with the Principles in Rule 28-26.003, Fla. Admin. Code.

WHEREFORE, IT IS ORDERED that Ordinance Nos.
 02-83, 02-84, and 02-88 are found to be consistent with the
 Principles for Guiding Development of the Green Swamp Area
 of Critical State Concern, and are hereby APPROVED.

This Order becomes effective 21 days after publication in
 the Florida Administrative Weekly unless a petition is filed as
 described below.

DONE AND ORDERED in Tallahassee, Florida.

H.E. "SONNY" TIMMERMAN, DIRECTOR

Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE

DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 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 RULE 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 March, 2003.

Paula Ford, Agency Clerk

By U.S. Mail:
Mark Carpanini, Esq.
Polk County Attorney
Drawer AT01
P. O. Box 9005
Bartow, FL 33831
Jim Bell, Director
Community Services Division
Drawer CS06
P. O. Box 9005
Bartow, FL 33831
Bruce Parker, Chairman
Board of County Commissioners
P. O. 9005, Drawer BC01
Bartow, FL 33831

By Hand Delivery or Interagency Mail:
 Jim Quinn, Bureau Chief, DCA Tallahassee
 Lee Berghoff, DCA Tallahassee
 Timothy E. Dennis, Assistant General Counsel, DCA Tallahassee

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, Pitbull Motorsports, intends to allow the establishment of Car Collection of Winter Park. as a dealership for the sale of Pitbull, Prostretts and Pitbull motorcycles, at 3500 Aloma Ave., Suite C38, Winter Park (Orange County), Florida 32792, on or after November 1, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Car Collection of Winter Park. are dealer operator(s) and principal investor(s): Ashly Kohly, P. O. Box 2295, Winter Park, FL 32790.

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: Mark Evans, President, Pitbull Motorsports, 2620 N. OBT, Orlando, FL 32804.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Aprilia USA, Inc., intends to allow the establishment of Fortis USA, Inc. d/b/a Scooters of Palm Beach, as a dealership for the sale of

Aprilia motorcycles, at 12550 South Military Trail, Suite 1, Boynton Beach (Palm Beach County), Florida 33436, on or after March 19, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Fortis USA, Inc. d/b/a Scooters of Palm Beach are dealer operator(s): Mary Ann Teixeira, 4154 Birchwood Dr., Boca Raton, FL 33436 and principal investor(s): Mary Ann and Edson Teixeira, 4154 Birchwood Dr., Boca Raton, FL 33436.

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: Tanner Shultz, National Business Development Manager, Aprilia USA, Inc., 109 Smoke Hill Lane, Suite 190, Woodstock, GA 30188.

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 KTM Sportmotorcycle USA, Inc., intends to allow the establishment of Distinctive Cycles, as a dealership for the sale of KTM motorcycles at 18291 US Highway 331, South, Freeport (Walton County), Florida 32439 on or after October 1, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Distinctive Cycles are dealer operator(s) and principal investor(s): Jerry Byrd, 18291 US Highway 331, South, Freeport, FL 32439.

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: Jack Penton, Dealer Development, KTM Sportmotorcycle USA, Inc., East 1119 Milan Ave., Amhorst, OH 44001.

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 Western Star Trucks Sales, Inc., intends to allow the establishment of Freightliner of Southern Alabama, Inc., as a dealership for the sale of Western Star-branded trucks at 4755 Capital Circle Drive, Tallahassee (Leon County), Florida 32304 on or after May 13, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Freightliner of Southern Alabama, Inc. are dealer operator(s): Jerry A. Kocan, 3140 Hayneville Road, Montgomery, AL 36108; principal investor(s): Jerry A. Kocan, 3140 Hayneville Road, Montgomery, AL 36108 and Freightliner Market Development Corporation, 2701 N. W. Vaughn, Suite 776, Portland, OR 97210.

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: Chuck Thomas, Dealer Operations Manager, Western Star Truck Sales, Inc., 3025 Evergreen Drive, Suite 150, Duluth, GA 30096.

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 Freightliner Custom Chassis Corporation intends to allow the establishment of Freightliner of Southern Alabama, Inc., as a dealership for the servicing only (no vehicle sales) at 4755 Capital Circle Drive, Tallahassee (Leon County), Florida 32304 on or after May 13, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Freightliner of Southern Alabama, Inc. are dealer operator(s): Jerry A. Kocan, 3140 Hayneville Road, Montgomery, AL 36108; principal investor(s): Jerry A. Kocan, 3140 Hayneville Road, Montgomery, AL 36108 and Freightliner Market Development Corporation, 2701 N. W. Vaughn, Suite 776, Portland, OR 97210.

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: Chuck Thomas, Dealer Operations Manager, Western Star Truck Sales, Inc., 3025 Evergreen Drive, Suite 150, Duluth, GA 30096.

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 Sterling Truck Corporation, intends to allow the establishment of Freightliner of Southern Alabama, Inc., as a dealership for the sale of all Sterling-branded trucks at 4755 Capital Circle Drive, Tallahassee (Leon County), Florida 32304 on or after May 13, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Freightliner of Southern Alabama, Inc. are dealer operator(s): Jerry A. Kocan, 3140 Hayneville Road, Montgomery, AL 36108; principal investor(s): Jerry A. Kocan, 3140 Hayneville Road, Montgomery, AL 36108 and Freightliner Market Development Corporation, 2701 N. W. Vaughn, Suite 776, Portland, OR 97210.

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: Chuck Thomas, Dealer Operations Manager, Western Star Truck Sales, Inc., 3025 Evergreen Drive, Suite 150, Duluth, GA 30096.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF BATCHED APPLICATION RECEIPT AND
NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency For Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Beds & Facilities review cycle with an application due date of March 12, 2003.

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| County: Escambia | District: 1 |
| CON # 9643 | Application Receipt Date: March 12, 2003 |
| Facility/Project: Baptist Hospital, Inc. | |
| Applicant: Baptist Hospital, Inc. | |
| Project Description: Establish an acute care satellite hospital with up to 100 beds | |
| County: Leon | District: 2 |
| CON # 9644 | Application Receipt Date: March 12, 2003 |
| Facility/Project: SemperCare Hospital of Tallahassee, Inc. | |
| Applicant: SemperCare Hospital of Tallahassee, Inc. | |
| Project Description: Establish a long-term care hospital of up to 40 beds at Tallahassee Memorial Hospital | |
| County: Leon | District: 2 |
| CON # 9645 | Application Receipt Date: March 12, 2003 |
| Facility/Project: Select Specialty Hospital – Leon, Inc. | |
| Applicant: Select Specialty Hospital – Leon, Inc. | |
| Project Description: Establish a long-term care hospital of up to 60 beds | |
| County: Leon | District: 2 |
| CON # 9646 | Application Receipt Date: March 12, 2003 |
| Facility/Project: HealthSouth LTAC of Tallahassee, Inc. | |
| Applicant: HealthSouth LTAC of Tallahassee, Inc. | |
| Project Description: Establish a long-term care hospital of up to 40 beds | |
| County: Marion | District: 3 |
| CON # 9647 | Application Receipt Date: March 12, 2003 |
| Facility/Project: Select Specialty Hospital – Marion, Inc. | |
| Applicant: Select Specialty Hospital – Marion, Inc. | |
| Project Description: Establish a long-term care hospital of up to 60 beds | |
| County: Marion | District: 3 |
| CON # 9648 | Application Receipt Date: March 12, 2003 |
| Facility/Project: Kindred Hospitals East, L.L.C. | |
| Applicant: Kindred Hospitals East, L.L.C. | |
| Project Description: Establish a long-term care hospital of up to 60 beds | |
| County: Hernando | District: 3 |
| CON # 9649 | Application Receipt Date: March 12, 2003 |
| Facility/Project: HealthSouth LTAC of Central Florida, Inc. | |
| Applicant: HealthSouth LTAC of Central Florida, Inc. | |
| Project Description: Establish a long-term care hospital of up to 40 beds | |

County: Alachua District: 3
 CON # 9650 Application Receipt Date: March 12, 2003
 Facility/Project: North Florida Regional Medical Center, Inc.
 Applicant: North Florida Regional Medical Center, Inc.
 Project Description: Add up to 44 acute care beds

County: Duval District: 4
 CON # 9651 Application Receipt Date: March 12, 2003
 Facility/Project: Ten Broeck Jacksonville, LLC
 Applicant: Ten Broeck Jacksonville, LLC
 Project Description: Establish a new adult psychiatric hospital of up to 44 beds

County: Pinellas District: 5
 CON # 9652 Application Receipt Date: March 12, 2003
 Facility/Project: All Children's Hospital
 Applicant: All Children's Hospital, Inc.
 Project Description: Add up to 22 Level II NICU beds

County: Hillsborough District: 6
 CON # 9653 Application Receipt Date: March 12, 2003
 Facility/Project: Brandon Regional Hospital
 Applicant: Galencare, Inc.
 Project Description: Add up to 50 acute care beds

County: Orange District: 7
 CON # 9654 Application Receipt Date: March 12, 2003
 Facility/Project: Select Specialty Hospital – Orange, Inc.
 Applicant: Select Specialty Hospital – Orange, Inc.
 Project Description: Establish a long-term care hospital of up to 40 beds

County: Sarasota District: 8
 CON # 9655 Application Receipt Date: March 12, 2003
 Facility/Project: HealthSouth Rehabilitation Hospital of Sarasota
 Applicant: HealthSouth of Sarasota Limited Partnership
 Project Description: Construct a replacement facility of up to 85 comprehensive medical rehabilitation beds through the replacement of 77 beds and the addition of up to eight beds

County: Lee District: 8
 CON # 9656 Application Receipt Date: March 12, 2003
 Facility/Project: Select Specialty Hospital – Lee, Inc.
 Applicant: Select Specialty Hospital – Lee, Inc.
 Project Description: Establish a long-term care hospital of up to 60 beds

County: Sarasota District: 8
 CON # 9657 Application Receipt Date: March 12, 2003
 Facility/Project: Select Specialty Hospital – Sarasota, Inc.
 Applicant: Select Specialty Hospital – Sarasota, Inc.
 Project Description: Establish a long-term care hospital of up to 60 beds

County: Palm Beach District: 9
 CON # 9658 Application Receipt Date: March 12, 2003
 Facility/Project: Boca Raton Community Hospital
 Applicant: Boca Raton Community Hospital, Inc.
 Project Description: Add up to 50 acute care beds

County: Palm Beach District: 9
 CON # 9659 Application Receipt Date: March 12, 2003
 Facility/Project: Bethesda Healthcare System, Inc.
 Applicant: Bethesda Healthcare System, Inc.
 Project Description: Establish a new acute care hospital of up to 80 beds through the transfer of up to 80 acute care beds from Bethesda Memorial Hospital

County: Palm Beach District: 9
 CON # 9660 Application Receipt Date: March 12, 2003
 Facility/Project: Columbia/JFK Medical Center, L.P.
 Applicant: Columbia/JFK Medical Center, L.P.
 Project Description: Establish a new acute care hospital of up to 100 beds through the delicensure of up to 100 beds at Columbia Hospital

County: Palm Beach District: 9
 CON # 9661 Application Receipt Date: March 12, 2003
 Facility/Project: Select Specialty Hospital – Palm Beach, Inc.
 Applicant: Select Specialty Hospital – Palm Beach, Inc.
 Project Description: Establish a long-term care hospital of up to 60 beds

County: Palm Beach District: 9
 CON # 9662 Application Receipt Date: March 12, 2003
 Facility/Project: Kindred Hospitals East, L.L.C
 Applicant: Kindred Hospitals East, L.L.C
 Project Description: Establish a long-term care hospital of up to 70 beds

County: Martin District: 9
 CON # 9663 Application Receipt Date: March 12, 2003
 Facility/Project: HealthSouth LTAC of Stuart, Inc.
 Applicant: HealthSouth LTAC of Stuart, Inc.
 Project Description: Establish a long-term care hospital of up to 40 beds

County: Palm Beach District: 9
 CON # 9664 Application Receipt Date: March 12, 2003
 Facility/Project: Wellington Regional Medical Center
 Applicant: Wellington Regional Medical Center, Inc.
 Project Description: Establish up to 15 new Level III NICU beds

County: Broward District: 10
 CON # 9665 Application Receipt Date: March 12, 2003
 Facility/Project: HealthSouth LTCH of Broward, Inc.
 Applicant: HealthSouth LTCH of Broward, Inc.
 Project Description: Establish a long-term care hospital of up to 40 beds

County: Dade District: 11
 CON # 9666 Application Receipt Date: March 12, 2003
 Facility/Project: HealthSouth Rehabilitation Hospital (Miami)
 Applicant: HealthSouth Rehabilitation Corporation
 Project Description: Add up to 15 comprehensive medical rehabilitation beds

County: Dade District: 11
 CON # 9667 Application Receipt Date: March 12, 2003
 Facility/Project: South Miami Hospital
 Applicant: South Miami Hospital, Inc.
 Project Description: Establish a Level III NICU with up to six beds through delicensure of up to six Level II beds

County: Dade District: 11
 CON # 9668 Application Receipt Date: March 12, 2003
 Facility/Project: North Shore Medical Center
 Applicant: Tenet HealthSystem North Shore, Inc.
 Project Description: Add up to nine Level III NICU beds through the conversion of up to nine acute care beds

County: Dade District: 11
 CON # 9669 Application Receipt Date: March 12, 2003
 Facility/Project: Miami Children's Hospital
 Applicant: Variety Children's Hospital, Inc.
 Project Description: Add up to eight Level III NICU beds

County: Dade District: 11
 CON # 9670 Application Receipt Date: March 12, 2003
 Facility/Project: Jackson Memorial Hospital
 Applicant: Public Health Trust of Miami-Dade County
 Project Description: Add up to 10 Level III NICU beds

County: Dade District: 11
 CON # 9671 Application Receipt Date: March 12, 2003
 Facility/Project: Baptist Hospital of Miami
 Applicant: Baptist Hospital of Miami, Inc.
 Project Description: Add up to eight Level III NICU beds

County: Dade District: 11
 CON # 9672 Application Receipt Date: March 12, 2003
 Facility/Project: North Shore Medical Center
 Applicant: Tenet Healthsystem North Shore, Inc.
 Project Description: Add up to nine Level II NICU beds through the conversion of up to nine acute care beds

County: Dade District: 11
 CON # 9673 Application Receipt Date: March 12, 2003
 Facility/Project: Jackson Memorial Hospital
 Applicant: Public Health Trust of Miami-Dade County
 Project Description: Add up to 10 Level II NICU beds

County: Dade District: 11
 CON # 9674 Application Receipt Date: March 12, 2003
 Facility/Project: West Kendall Baptist Hospital, Inc.
 Applicant: West Kendall Baptist Hospital, Inc.

Project Description: Establish a new acute care hospital of up to 80 beds through delicensure of up to 80 acute care beds at South Miami Hospital

County: Dade District: 11
 CON # 9675 Application Receipt Date: March 12, 2003
 Facility/Project: Kendall Healthcare Group, Ltd.
 Applicant: Kendall Healthcare Group, Ltd.
 Project Description: Establish an acute care hospital of up to 100 beds through the delicensure of up to 100 acute beds at Kendall Regional Medical Center
 Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: District 1
 DATE/TIME: Thursday, April 24, 2003, 2:00 p.m. (Central Time)
 PLACE: West Florida Regional Planning Council Conference Room, 3435 N. 12th Ave. Pensacola, FL 32593

PROPOSALS: District 2
 DATE/TIME: Tuesday, April 29, 2003, 1:00 p.m. (Central Time)
 PLACE: Big Bend Health Council Office 431 Oak Avenue, Panama City, FL 32401

PROPOSALS: District 3
 DATE/TIME: Wednesday, April 30th, 2003, 2:00 p.m.
 PLACE: North Central Florida Health Planning Council, Conference Room 18 N. W. 33rd Court Gainesville, FL 32607

PROPOSALS: District 4
 DATE/TIME: Thursday, April 24, 10:00 a.m.
 PLACE: Health Planning Council of N.E. Florida, Inc. 900 University Blvd., North, Room 210 Jacksonville, FL 32211

PROPOSALS: District 5
 DATE/TIME: Thursday, April 24, 2003, 9:00 a.m. (until noon)
 PLACE: Baker Building Conference Room 888 Executive Center Drive, North St. Petersburg, FL 33702

PROPOSALS: District 6
 DATE/TIME: Friday, April 25, 2003, 9:00 a.m.
 PLACE: Baker Building Conference Room 888 Executive Center Drive, North St. Petersburg, FL 33702

PROPOSALS: District 7
 DATE/TIME: Thursday, April 24, 2003, 9:00 a.m.
 PLACE: Health Council of East Central Florida, Inc. 1155 South Semoran Boulevard Conference Room, Ste. 1111 Winter Park, FL 32792

- PROPOSALS: District 8
 DATE/TIME: Thursday, April 24, 2003, 1:00 p.m.
 PLACE: The Health Planning Council of Southwest Florida, Inc.
 Conference Room
 9250 College Parkway, Suite 3
 Ft. Myers, FL 33919
- PROPOSALS: District 9
 DATE/TIME: Thursday, April 24, 2003, 9:30 a.m.
 PLACE: Treasure Coast Health Council Inc.
 Conference Center, Suite 229
 4152 West Blue Heron Boulevard
 Riviera Beach, FL 33404
- PROPOSALS: District 10
 DATE/TIME: Friday, April 25, 2003, 10:00 a.m. – 12:00 Noon
 PLACE: Broward Regional Health Planning Council, Inc.
 915 Middle River Drive, Suite 115
 Fort Lauderdale, FL 33304
- PROPOSALS: District 11
 DATE/TIME: Tuesday, April 29, 2003, 9:00 a.m.
 PLACE: Health Council of South Florida
 Conference Room, Suite 300
 8095 N. W. 12th Street
 Miami, FL 33126

Public hearing requests must be in writing and be received at: Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308 by 5:00 p.m., April 11, 2003. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by 5:00 p.m., April 16, 2003.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF FINAL ORDER AMENDING
 2002 VERIFIED LIST
 OF IMPAIRED WATERS, GROUP 1 BASINS,
 ENTERED MARCH 18, 2003

The Department of Environmental Protection gives notice that an ORDER AMENDING THE 2002 VERIFIED LIST OF IMPAIRED WATERS, GROUP 1 BASINS, as originally adopted by Secretarial Order on 28 August 2002, was entered March 18, 2003, on pursuant to Section 403.067, Fla. Stat., and Chapter 62-303, F.A.C.

Copies of the order amending the order issued August 28, 2002, may be requested from, Daryll Joyner, Program Administrator, Department of Environmental Protection, 2600 Blair Stone Road, Bureau of Watershed Management, MS 3510, Tallahassee, Florida 32399-2400, or by calling (850)488-0780.

The full text of the final order is published on the Internet at the DEP homepage at <http://www.dep.state.fl.us/> under the link or button entitled "Official Notices."

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the following policy for review and comment on MyFlorida.com at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>. The department-wide policy (Type B) addresses the following issue: Internet Access for Offenders in Residential Commitment – establishing guidelines for Internet use by youth in residential commitment programs. This is the first of two – 20 working day review and comment periods.

Please submit comments to the contact persons identified on the above Website. The closure date for submission of comments on this policy is April 10, 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 a review period on the above Website.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN March 10, 2003
 and March 14, 2003**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
University of Central Florida

6C7-4.034	3/14/03	4/3/03	Newspaper	
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State Board of Independent Colleges and Universities

6E-2.008	3/13/03	4/2/03	28/43	29/5
6E-2.0081	3/13/03	4/2/03	28/43	29/5
6E-2.010	3/13/03	4/2/03	28/43	29/5
6E-4.005	3/13/03	4/2/03	28/43	29/5

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

40E-7.214	3/12/03	4/1/03	28/43	
40E-7.215	3/12/03	4/1/03	28/43	28/51
40E-7.216	3/12/03	4/1/03	28/43	
40E-7.217	3/12/03	4/1/03	28/43	
40E-7.218	3/12/03	4/1/03	28/43	
40E-7.219	3/12/03	4/1/03	28/43	
40E-8.011	3/12/03	4/1/03	29/2	
40E-8.021	3/12/03	4/1/03	29/2	
40E-8.221	3/12/03	4/1/03	29/2	
40E-8.421	3/12/03	4/1/03	29/2	

DEPARTMENT OF MANAGEMENT SERVICES
Personnel Management System

60L-31.001	3/14/03	4/3/03	28/42	
60L-31.002	3/14/03	4/3/03	28/42	
60L-31.003	3/14/03	4/3/03	28/42	
60L-31.004	3/14/03	4/3/03	28/42	
60L-32.001	3/14/03	4/3/03	28/42	
60L-32.0011	3/14/03	4/3/03	28/42	
60L-32.0012	3/14/03	4/3/03	28/42	28/50
60L-32.002	3/14/03	4/3/03	28/42	
60L-32.005	3/14/03	4/3/03	28/42	
60L-33.002	3/14/03	4/3/03	28/42	
60L-33.003	3/14/03	4/3/03	28/42	
60L-33.0031	3/14/03	4/3/03	28/42	
60L-33.0032	3/14/03	4/3/03	28/42	
60L-33.0033	3/14/03	4/3/03	28/42	
60L-33.004	3/14/03	4/3/03	28/42	
60L-33.007	3/14/03	4/3/03	28/42	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-4.020	3/14/03	4/3/03	29/1	
62-4.050	3/14/03	4/3/03	29/1	
62-550.102	3/14/03	4/3/03	28/52	
62-550.200	3/14/03	4/3/03	28/52	29/8
62-550.315	3/14/03	4/3/03	28/52	
62-550.517	3/14/03	4/3/03	28/52	
62-550.518	3/14/03	4/3/03	28/52	
62-550.560	3/14/03	4/3/03	28/52	
62-550.730	3/14/03	4/3/03	28/52	
62-550.817	3/14/03	4/3/03	28/52	29/8
62-555.600	3/14/03	4/3/03	28/52	
62-555.610	3/14/03	4/3/03	28/52	
62-555.620	3/14/03	4/3/03	28/52	
62-555.630	3/14/03	4/3/03	28/52	
62-555.900	3/14/03	4/3/03	28/52	

DEPARTMENT OF HEALTH
Board of Opticianry

64B12-11.004	3/13/03	4/2/03	29/4	
64B12-11.0045	3/13/03	4/2/03	29/4	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

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65A-1.704	3/12/03	4/1/03	28/41	
65A-1.705	3/12/03	4/1/03	28/41	29/1
65A-1.710	3/12/03	4/1/03	28/41	29/1
65A-1.711	3/12/03	4/1/03	28/41	29/5
65A-1.712	3/12/03	4/1/03	28/41	
65A-1.713	3/12/03	4/1/03	28/41	29/5
65A-1.716	3/12/03	4/1/03	28/41	

Substance Abuse Program

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65D-30.002	3/14/03	4/3/03	28/45	
65D-30.003	3/14/03	4/3/03	28/45	29/6
65D-30.004	3/14/03	4/3/03	28/45	29/6
65D-30.005	3/14/03	4/3/03	28/45	
65D-30.006	3/14/03	4/3/03	28/45	
65D-30.007	3/14/03	4/3/03	28/45	29/6
65D-30.008	3/14/03	4/3/03	28/45	29/7
65D-30.009	3/14/03	4/3/03	28/45	29/7
65D-30.0091	3/14/03	4/3/03	28/45	29/7
65D-30.010	3/14/03	4/3/03	28/45	29/6
65D-30.011	3/14/03	4/3/03	28/45	29/6
65D-30.012	3/14/03	4/3/03	28/45	29/7
65D-30.013	3/14/03	4/3/03	28/45	
65D-30.014	3/14/03	4/3/03	28/45	29/6

