

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

### DEPARTMENT OF BANKING AND FINANCE

#### Division of Finance

RULE TITLE: RULE NO.:

Continuing Education Requirements for  
Mortgage Brokers, Loan Originators,  
and Principal Representatives 3D-40.0271

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 3D-40.0271, F.A.C., is to clarify the language in the existing Rule and to require that continuing education course completion certificates identify the number of hours completed (a current requirement) as well as subject area covered in the course (a new requirement).

SUBJECT AREA TO BE ADDRESSED: Information to set forth on continuing education course completion certificates.

SPECIFIC AUTHORITY: 494.0011(2), 494.00295(3) FS.

LAW IMPLEMENTED: 494.0016, 494.0029, 494.00295, 494.0034, 494.0064, 494.0067 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Gregory C. Oaks, Financial Examiner/Analyst Supervisor, Office of Financial Institutions and Securities Regulation, 200 East Gaines St., Rm. 553 H, Fletcher Bldg., Tallahassee, Florida 32399-0378

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-40.0271 Continuing Education Requirements for Mortgage Brokers, Loan Originators, and Principal Representatives.

(1) through (9) No change.

(10) The continuing education requirements for the principal representative, loan originators and associates are waived for the license renewal of the mortgage lender, correspondent mortgage lender, or mortgage lender pursuant to the savings clause, for the biennial license period in which the principal representative, loan originator or associate completes the 24 hours of classroom education in accordance with Rule 3D-40.027, F.A.C., and also passed a written test in accordance with Rule 3D-40.025, F.A.C., in order to qualify to be designated as a principal representative, or becomes licensed as a mortgage broker.

(11) through (12) No change.

(13) Within five (5) days of completion of each continuing education course, the school shall submit to the student a certificate of completion indicating successful completion of the course. The certificate shall indicate and the number of hours and the subject area covered in each hour of the course consisted of. The schools are not to submit copies of the continuing education requirement certificates to the Department. Each mortgage business school shall maintain all student course completion records for at least three (3) years from the completion dates.

Specific Authority 494.0011(2), 494.00295(3) FS. Law Implemented 494.0016, 494.0029, 494.00295, 494.0034, 494.0064, 494.0067 FS. History--New 12-9-01, Amended \_\_\_\_\_.

### DEPARTMENT OF BANKING AND FINANCE

#### Division of Finance

RULE TITLE: RULE NO.:

Mortgage Broker License Renewal  
and Reactivation 3D-40.043

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 3D-40.043, F.A.C., is to amend form DBF-MB-103 to reflect the correct mailing addresses for the Office of Financial Institutions and Securities Regulations within both the rule and the form, as well as to add a requirement that continuing education certification information must be provided and to advise licensees of the late filing penalty.

SUBJECT AREA TO BE ADDRESSED: Certification of continuing education requirement and late filing penalty.

SPECIFIC AUTHORITY: 494.0011(2), 494.0034 (2) FS.

LAW IMPLEMENTED: 494.00295, 494.0034 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Gregory C. Oaks, Financial Examiner/Analyst Supervisor, Office of Financial Institutions and Securities Regulation, 200 East Gaines St., Rm. 553 H, Fletcher Bldg., Tallahassee, Florida 32399-0378

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

3D-40.043 Mortgage Broker License Renewal and Reactivation.

(1) Each active mortgage broker license shall be renewed for the biennial period beginning September 1 of each odd-numbered year upon submission of the statutory renewal fee required by Section 494.0034, F.S., certification of compliance with the continuing education requirement of Section 494.00295, F.S., and a completed renewal form. Form OFISR-MB-103, Mortgage Broker License Renewal and

Reactivation Form, revised 05/03, is hereby incorporated by reference and available by mail from the Office of Financial Institutions and Securities Regulation, Bureau of Finance Regulation, 200 East Gaines Street, Fletcher Bldg., Tallahassee, Florida 32399-0378.

(2) through (5) No change.

Specific Authority 494.0011(2), 494.0034(2) FS. Law Implemented 494.00295, 494.0034 FS. History—New 6-23-91, Amended 11-12-91, 9-3-95, 12-12-99, 2-5-01, 12-9-01, \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Office of Agricultural Water Policy**

RULE CHAPTER TITLE: Interim Measures for Tri-County  
 RULE CHAPTER NO.: 5M-4

PURPOSE AND EFFECT: The purpose of this rule is to adopt the Tri-County Agricultural Area Water Quality Protection Cost Share Program Applicant’s Handbook as an interim measure in order to address pollutant reduction in the Lower St. Johns River basin until such time as Best Management Practices are developed and adopted by the Department in accordance with Chapter 403.067(7), F.S.

SUBJECT AREA TO BE ADDRESSED: The subject to be addressed is the adoption of the Tri-County Agricultural Area Water Quality Protection Cost Share Program Applicant’s Handbook, establishment of record keeping requirements and the procedures for landowners and leaseholders to submit a notice of intent to comply with the interim measures.

SPECIFIC AUTHORITY: 403.067(7) FS.

LAW IMPLEMENTED: 403.067(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mark Jennings, Environmental Specialist III, Office of Agricultural Water Policy, 1203 Governor’s Square Blvd., Suite 200, Tallahassee, Florida 32301, (850)488-6249, Fax (850)921-2153

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

**DEPARTMENT OF CITRUS**

RULE CHAPTER TITLE: Fresh Fruit Maturity Tests  
 RULE CHAPTER NO.: 20-34

RULE TITLE: Requirements for Break in Color  
 RULE NO.: 20-34.005

PURPOSE AND EFFECT: Clarifying grapefruit color requirements and repealing varieties listed in rule which have been declassified and therefore not subject to the break in color rule.

SUBJECT AREA TO BE ADDRESSED: Requirements for color-break test.

SPECIFIC AUTHORITY: 601.10(1),(7), 601.11 FS.

LAW IMPLEMENTED: 601.11, 601.16, 601.19, 601.21 FS.

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

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

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

**PUBLIC SERVICE COMMISSION**

DOCKET NO: 030426-EI

RULE TITLE: Definitions  
 RULE NO.: 25-6.003

PURPOSE AND EFFECT: To update definitions so that they conform with the most recent edition of the Dictionary of Electric and Electronic Terms (IEEE 100).

SUBJECT AREA TO BE ADDRESSED: Definitions of terms relevant to providing electricity.

SPECIFIC AUTHORITY: 366.05(1) FS.

LAW IMPLEMENTED: 366.05(1) 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., June 24, 2003

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

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 hearing. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jim Breman, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0863, (850)413-6664

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-6.003 Definitions.

(1) Guide to finding definitions of terms in Chapter 25-6, F.A.C. The definitions of terms used in this chapter are found in several sources, as follows:

(a) Definitions are stated directly in Rules 25-6.003, 25-6.0426, 25-6.04365, 25-6.0438, 25-6.0439, 25-6.044, 25-6.064, 25-6.075, and 25-6.1351:

(b) Rules 25-6.014, 25-6.0142, 25-6.034, and 25-6.0345 refer to national codes for definitions; and

(c) For terms that are not defined in the rules listed in paragraphs (a) or (b), the definitions shall be as stated in the The Authoritative Dictionary of IEEE Standard Terms, also referred to as the IEEE 100. Unless otherwise defined in Rule 25-6.003, F.A.C., below, Rule 25-6.075, F.A.C., or in adopted national codes, pursuant to Rule 25-6.034, F.A.C., the definition of the terms used in Chapter 25-6, F.A.C., shall be as stated in the IEEE Dictionary of Electrical and Electronic terms.

(2) Definitions of terms.

(a)(1) "Commission." Unless a different intent clearly appears from the context, the word "Commission" shall be construed to mean the Florida Public Service Commission.

(b)(2) "Customer." Any person, firm, partnership, company, corporation, association, governmental agency or similar organization, who makes application for and is supplied with electric service by the utility for its ultimate use and not for use by, to, or through any other person or entity unless specifically authorized by the Commission.

(c)(3) "Customer's Installation." Wires, enclosures, switches, appliances, and other apparatus, including the service entrance and service equipment, forming the customer's facilities utilizing service for any purpose on the customer's side of the point of delivery.

(d)(4) "Meter." The word "meter," when used in these rules without other qualification, shall be construed to mean any device used for the purpose of measuring the service rendered to a customer by a utility.

(e)(5) "Point of Delivery." The first point of attachment where the utility's service drop or service lateral is connected to the customer's service entrance conductors either at a riser, in a terminal box, or meter or other enclosure inside or outside the building wall.

(f)(6) "Service." The supply by the utility of electricity to the customer, including the readiness to serve and availability of electrical energy at the customer's point of delivery at the standard available voltage and frequency whether or not utilized by the customer.

(g)(7) "Service Conductors." The overhead conductors from the last pole or other aerial support to the point of delivery including the splices, if any, connecting the service drop to the service entrance conductors.

(h)(8) "Service Drop." The overhead service conductors from the last pole or other aerial support to and including the splices, if any, connecting to the service entrance conductors at the building or other structure.

(i)(9) "Service-Entrance Conductors, Underground System." The service conductors between the terminals of the service equipment and the point of connection of the service lateral.

(j)(10) "Service Equipment." The customer's equipment, usually consisting of circuit-breaker or switch and fuses, and their accessories, connected to the supply conductors of a building.

(k)(11) "Service Lateral." The underground conductors between the transformer(s) or transformer secondary, including any risers at a pole or other structure, and the point of delivery.

(l)(12) "Utility." Unless a different intent clearly appears from the context, the word or words "utility" or "electric utility" as used in these rules shall have the same meaning as set out for "public utility" in Section 366.02, F.S., and shall include all such utilities subject to Commission jurisdiction.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History--New 7-29-69, Amended 4-13-80, Formerly 25-6.03, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE CHAPTER TITLE: Certification, Examination,

RULE CHAPTER NO.:

Application, Certificate

Renewal, Inactive Status

61G19-6

PURPOSE AND EFFECT: The Board proposes to review this chapter to determine if any rule amendments or additions relating to the design and administration of the Board's examination are necessary.

SUBJECT AREA TO BE ADDRESSED: Examination.

SPECIFIC AUTHORITY: 468.606, 468.609(7)(a), 468.609(1),(2),(3), 468.609(7), 455.271, 468.609(10) FS.

LAW IMPLEMENTED: 468.607, 468.609, 468.609(7)(a), 468.609(4), 468.609(1),(2),(3), 468.609(5), 468.609(7), 455.271, 468.627, 468.609(10), 468.609(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony

Spivey, Executive Director, Board of Building Code Administrators and Inspectors, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 00-40R

RULE CHAPTER TITLE: Environmental Resource Permitting  
 RULE TITLE: Rules Adopted by Reference

RULE CHAPTER NO.: 62-330  
 RULE NO.: 62-330.200

PURPOSE AND EFFECT: The rulemaking will amend Subsection 62-330.200(3) of the Florida Administrative Code, which adopts by reference certain rules of the Southwest Florida Water Management District (SWFWMD) that are used by the Department in implementing its responsibilities under the environmental resource permit (ERP) program effective October 3, 1995. This will have the effect of accomplishing two primary purposes.

First, it will remove the incorporation by reference of the now repealed Chapter 40D-45, F.A.C. Associated with that repeal, it also will adopt by reference amendments to Chapter 40D-4, F.A.C., and its associated SWFWMD "Basis of Review" related to exemptions for phosphate and non-phosphate mining, which were the subject of recent rulemaking by the SWFWMD. This first objective is planned to include associated rulemaking to add or amend noticed general permits related to mining activities in Chapter 62-341, F.A.C.

Second, it will update the versions of the SWFWMD rules used by the Department in implementing its ERP program responsibilities under Part IV of Chapter 373 of the Florida Statutes. Those rules were last incorporated by reference in Subsection 62-330.200(3), when the ERP permit program became effective on October 3, 1995. Since that time, the SWFWMD has made many amendments to those rules.

SUBJECT AREA TO BE ADDRESSED: Amendments will be proposed to subsection 62-330.200(3), F.A.C., that will adopt by reference the current ERP program rules of the SWFWMD under Part IV of Chapter 373. The affected rules are planned to include Chapters 40D-1, 40D-4, 40D-8, 40D-40 of the Florida Administrative Code, and the SWFWMD "Basis of Review."

Some of the rule amendments adopted by the SWFWMD after 1995 are not proposed to be incorporated by reference in Chapter 62-330, most notably the provisions and references to site conditions assessment permits.

In related, separate rulemaking, the Department proposes to amend Chapter 62-341, F.A.C., to add two noticed general permits related to mining activities.

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

For more information call: Alice Heathcock, Florida Department of Environmental Protection, Bureau of Beaches and Wetland Resources, (850)245-8483 or e-mail: [Alice.Heathcock@dep.state.fl.us](mailto:Alice.Heathcock@dep.state.fl.us).

Further information and updates on this proposed rule also may be obtained from the Department's web site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 01-42R

RULE CHAPTER TITLE: Noticed General Environmental

RULE CHAPTER NO.:

Resource Permits 62-341

RULE TITLES: Definitions 62-341.021

Noticed General Permit for Raising the Height of Existing Earthen Embankments for Impoundments at Facilities for Mining Sand and Limestone 62-341.491

Noticed General Permit for Prospecting 62-341.492

PURPOSE AND EFFECT: The purpose of the proposed amendments is to incorporate into the Department's Noticed General Permit Rule Chapter 62-341, F.A.C., two new Noticed General Permits for mining and related activities. This rulemaking is related to the repeal of Chapter 40D-45, F.A.C., by the Southwest Florida Water Management District in 2001. In related rulemaking, the Department is proposing to amend Chapter 62-330, F.A.C., to reflect that rule repeal.

The proposed Noticed General Permits establish criteria for two activities that were previously exempt from permitting under the now repealed Chapter 40D-45, F.A.C. One general permit will authorize raising the height of existing earthen embankments for impoundments at facilities for mining sand and limestone. The second Noticed General Permit will authorize certain activities associated with prospecting for limestone, sand and peat.

SUBJECT AREA TO BE ADDRESSED: The additions of the two new noticed general permits, Rules 62-341.491 and 62-341.492, F.A.C., restore an expedited review and authorization of two types of activities that were lost through the SWFWMD repeal of Chapter 40D-45, F.A.C., in 2001.

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

For more information call: Alice Heathcock, Florida Department of Environmental Protection, Bureau of Beaches and Wetland Resources, (850)245-8483 or e-mail: [Alice.Heathcock@dep.state.fl.us](mailto:Alice.Heathcock@dep.state.fl.us).

Further information and updates on this proposed rule also may be obtained from the Department's web site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>.



applicant's signature. ~~Form CG-20-03, Form CG-20-02,~~ Registration Application: Certification Examinations for Florida Educators is hereby incorporated by reference and made a part of this rule to become effective ~~July 2003~~ July 2002. This form may be obtained without cost from the Bureau of Educator Certification, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

b. A twenty-five (25) dollar fee for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, for each registration for the professional skills examination, and for each registration for the general knowledge test or any combination of subtests for the general knowledge test.

c. A charge of one hundred (100) dollars in addition to the fees described in Rule 6A-4.0021(4)(a)1.b., FAC., for certification applicants taking a supplemental examination.

2. Beginning ~~October 1, 2003, July 1, 2003,~~ a completed application shall consist of the following:

a. A completed application ~~Form CG-20-03A, Form CG-20-03,~~ Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. ~~Form CG-20-03A Form CG-20-03~~ is hereby incorporated by reference and made a part of this rule to become effective ~~October 1, 2003~~ July 2003. This form may be obtained without cost from the Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

b. A twenty-five (25) dollar fee for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, each registration for the professional skills examination, and each registration for the general knowledge test or any combination of subtests for the general knowledge test.

c. A charge of one hundred (100) dollars in addition to the fees described in Rule 6A-4.0021(4)(a)2.b., FAC., for certification applicants taking a supplemental examination.

3. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in Rule 6A-4.0021(4)(b), FAC.

(b) Late registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. An applicant who did not submit a completed application to the test administration agency within the fifty (50) day deadline may register for the examination by completing the requirements listed in Rule 6A-4.0021(4)(a)1., FAC., and submitting a fifteen (15) dollar late charge for each registration for a subject area specialty examination; each registration for the professional skills examination and each registration for any combination of the General Knowledge Test ~~College Level Academic Skills Test~~ subtests. Beginning ~~October 1, 2003, July 1, 2002,~~ an applicant who did not submit

a completed application to the test administration agency within the fifty (50) day deadline may register for the examinations by completing the requirements listed in Rule 6A-4.0021(4)(a)2., FAC., and submitting a fifteen (15) dollar late charge for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination; each registration for the professional education examination; and each registration for the general knowledge examination or any combination of the general knowledge subtests. All items shall be received by the test administration agency at least thirty (30) days preceding the examination date. Late registrations shall be accepted on a space available basis.

(c) Refunds. Fees shall be refunded provided written requests for refunds are received by the test administration agency at least thirty (30) days preceding the examination date. Failure to appear for or to complete an examination shall result in forfeiture of fees.

(8) Scoring the professional skills examination Effective July 2003, the passing score for the professional education test shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to an examination raw score that results in an examinee passing rate of ninety-one (91) percent, which was the passing rate of teacher candidates who took the Professional Education examination for the first time during the 2001-2002 examination administration year. In the event that fewer than fifty (50) examinees are tested in the July 2003 administration, the passing score shall be sixty (61) percent of the items.

~~(a) A passing score shall be a scaled score of at least 200.~~

~~(b) Performance equivalent to a scaled score of 200 is expressed as a Rasch logit value. The minimum acceptable performance equivalent to a scaled score of 200 as determined from the field test conducted by the Department in April, 1980 is a logit value of 0.70 on the professional skills examination.~~

~~(c) The passing score on subsequent forms of the professional skills examination shall be equated to a score of 200 on the score scale derived from the field tests identified in Rule 6A-4.0021(7)(b), FAC.~~

(9) Scoring of the subject area specialty examinations.

(m) Effective July 2003, the passing scores for the subject area specialty examinations listed below shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to the raw scores on the July 2003 test administration as defined below:

1. Middle Grades Integrated Curriculum Examination. An examination raw score that results in an examinee passing rate of sixty-eight (68) percent, which was the average of the passing rates of teacher candidates who took the Middle Grades English 5-9, Middle Grades General Science 5-9, Middle Grades Mathematics 5-9, and Middle Grades Social Science 5-9 specialty examinations for the first time during the 2001-2002 examination administration year. In the event that

fewer than fifty (50) examinees are tested in the July 2003 administration, the passing score shall be fifty-nine (59) percent of the items.

2. Physical Education K-12 Examination. An examination raw score that results in an examinee passing rate of seventy-five (75) percent, which was the average of the passing rates of teacher candidates who took the Physical Education K-8 and Physical Education 6-12 specialty examinations for the first time during the 2001-2002 examination administration year. In the event fewer than fifty (50) examinees are tested in the July 2003 administration, the passing score shall be sixty (60) percent of the items.

(n) Not later than September 1, 2004, the Commissioner of Education shall review examinee performance levels for the Professional Education Examination, the Middle Grades Integrated Curriculum 5-9 Examination, and the Physical Education K-12 Examination and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

~~(o)(m)~~ The Commissioner of Education shall review the passing score for each of the General Knowledge Subtests, each of the subject area specialty examinations, and the Professional Education Examination not less than once every five (5) years and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

~~(p)(n)~~ Before July 1, 2003, the subject area specialty examinations approved for use in the Florida Teacher Certification Examinations are listed by subject area in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Seventh Edition."

~~(q)(o)~~ Beginning July 1, 2003, the subject area specialty examinations approved for use in the Florida Teacher Certification Examinations are listed by subject area in the publication "Competencies and Skills Required for Teacher Certification in Florida, Eighth Edition."

Specific Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History--New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, Amended 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cornelia Orr, Chief, Assessment and School Performance, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John Winn, Deputy Commissioner for Accountability, Research, and Measurement, Department of Education

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

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE TITLE: Florida Educational Leadership Examination

RULE NO.: 6A-4.00821

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt the newly revised application form for persons to use when registering for the Florida Educational Leadership Examination. The effect will be a form that is current and contains accurate information relating to the examination.

SUMMARY: This rule is amended to adopt the new application form.

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 the notice.

SPECIFIC AUTHORITY: 1012.56(8), 1012.59 FS.

LAW IMPLEMENTED: 1012.56, 1012.59 FS.

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

TIME AND DATE: 8:30 a.m., June 17, 2003

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathy Fearon, Accountability, Research, and Measurement, Department of Education, 325 West Gaines Street, Suite 414, Tallahassee, Florida 32399-0400, (850)488-8198

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.00821 Florida Educational Leadership Examination.

(1) through (3) No change.

(4) Registration, late registration, and refunds.

(a) Registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. To register to take the examination, an applicant shall submit a completed application to the test administration agency. The completed application shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. Before ~~October 1, 2003, July 1, 2003~~, a completed application shall consist of the following:

a. A completed application ~~Form CG-20-03, Form CG-20-02~~, Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. ~~Form CG-20-03, Form CG-20-02~~, Registration Application: Certification Examinations for Florida Educators is hereby incorporated by reference and made a part of this rule to become effective July ~~2003 2002~~.





furnished by the Department of Citrus, shall report information as to the number of units of processed orange or grapefruit products subject to this section upon which any taxable privilege was exercised during the period of time covered by the return, in addition to the status of inventoried product. Each handler shall maintain records and documentation supporting declarations made on the excise tax return filed with the Department of Citrus. Unless the actual number of boxes is known to the processor and can be substantiated by appropriate records in his possession, the following table shall be used in determining the equivalent number of boxes:

Product	Conversion Unit		Number of Equivalent 1-3/5 Bushel Boxes
	Oranges	Grapefruit	
Concentrate	<del>6.32</del> <del>6.26</del> solids	<del>4.65</del> <del>4.56</del> solids	1
Single Strength	<del>6.16</del> <del>6.15</del> gallons	<del>5.12</del> <del>5.18</del> gallons	1
Sections, canned	4.93 gallons	4.27 gallons	1

(b) Equalizing excise taxes shall be due and payable within 61 days after the first of the taxable privileges is exercised in this state.

(c) The excise tax levied by this section shall be at the same rate per box of oranges or grapefruit utilized in the initial production of the processed citrus products so handled as that imposed, at the time of exercise of the taxable privilege, by Section 601.15, Florida Statutes.

(d) All credits and refunds will be provided by Department of Citrus in accordance with s. 601.155, Florida Statutes.

(3) through (4) No change.

Specific Authority 601.10(1), 601.15(1),(10)(a), 601.155(3),(7) FS. Law Implemented 601.15(5),(6), 601.155 FS. History—Formerly 105-1.15(2), Revised 1-1-75, § (2), Amended 11-21-77, 8-1-80, § (3), 2-1-81, 8-1-83, Formerly 20-9.02, Amended 7-21-86, 8-30-89, 8-27-91, 7-13-94, 10-22-95, 8-1-97, 8-3-00, 11-27-01, \_\_\_\_\_.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 9, 2003

**DEPARTMENT OF CORRECTIONS**

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to address requirements for the use of handcuffs by correctional probation officers, to clarify what action constitutes deadly force, and to correct titles of probation and parole staff.

SUMMARY: The proposed rule provide additional requirements for the use of handcuffs by correctional probation officers, requires that officers carrying firearms also carry handcuffs, clarifies what action constitutes deadly force, and corrects titles of probation and parole staff.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

33-302.104 Correctional Probation Officers Carrying Firearms.

(1) No change.

(2) Definitions.

(a) through (b) No change.

(c) “Correctional probation officer” means a person who is employed full time by the Department of Corrections whose primary responsibility is the supervised custody, surveillance, and control of assigned offenders and includes supervisory personnel whose duties include the supervision, training and guidance of correctional probation officers. This term does not include personnel above the level of regional director of probation and parole community corrections.

(d) No change.

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

(f)(e) Reviewing authority, for the purpose of this rule, refers to staff who are authorized to review and approve requests to carry firearms, issue Firearm Qualification and Authorization, DC3-223, maintain lists of staff under their supervision who have been authorized to carry a firearm, and permanently remove or temporarily suspend authorization for staff to carry a firearm.

1. Circuit Administrators are the reviewing authority for Correctional Probation Officers up to the level of Deputy Circuit Administrator.

2. Regional Directors of probation and parole ~~Community Corrections~~ are the reviewing authority for Circuit Administrators and Deputy Regional Directors of probation and parole ~~Community Corrections~~.

3. The ~~Director~~ Deputy Assistant Secretary of Community Operations ~~Corrections~~ or the Assistant Secretary for probation and parole ~~of Community Corrections~~ is the reviewing authority for the Regional Directors of probation and parole ~~Community Corrections~~.

(3) Authorization Procedures.

(a) No change.

(b) Any correctional probation officer who elects to carry a firearm while on duty shall complete Form DC3-226, Request for Authorization to Carry a Firearm on Duty, and submit it for such authorization through the circuit administrator. Form DC3-226, Request for Authorization to Carry a Firearm on Duty, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is March 4, 2001. Any circuit administrator or deputy regional director of probation and parole ~~community corrections~~ who elects to carry a firearm while on duty shall make application utilizing Form DC3-226 to the regional director of probation and parole ~~community corrections~~. A regional director of probation and parole ~~community corrections~~ who elects to carry a firearm while on duty shall make application utilizing Form DC3-226 to the ~~director~~ deputy assistant secretary of community operations ~~corrections~~. The written application shall contain documentation that the individual has complied with the training and qualification requirements set forth in paragraph (c) below. The application shall also contain a statement that the officer has read and understands Rules 33-302.104 and 33-209.103, F.A.C.

(c) through (j) No change.

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

(4) through (6) No change.

(7) Use of Firearm. For the purposes of this rule, “use of a firearm” means to discharge a firearm or to have a firearm readily accessible for immediate discharge, i.e., loaded and in a person’s hand.

(a) No change.

(b) In accordance with firearms training, correctional probation officers are authorized to use deadly force only after all other reasonable efforts to avoid confrontation have been exhausted, including retreat, use of handcuffs to restrain the offender, ~~or~~ use of defensive tactics or chemical agents. Effective December 1, 2000, all officers authorized to carry firearms must be certified to carry chemical agents per Rule 33-302.105, F.A.C. and must carry chemical agents while carrying firearms. Effective \_\_\_\_\_, all officers authorized to carry firearms must complete handcuff training requirements provided by the department and must carry department issued handcuffs on his or her person while carrying a firearm.

(c) through (8) No change.

(9) Removal of Authorization to Carry a Firearm.

(a) The reviewing authority shall permanently remove or temporarily suspend the authorization to carry a firearm for a correctional probation officer if:

1. The correctional probation officer has exhibited behavior that which indicates that the carrying of a firearm by this officer could present a threat to the security of other staff, offenders, or the general public,

2. through 5. No change.

(10) through (11) No change.

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

33-302.105 Probation and Parole – Use of Force.

(1) through (3) No change.

(4) Use of Handcuffs.

(a) Officers shall use handcuffs in accordance with subsection (1) of this rule. Handcuffs shall be used only by persons authorized by the department and shall only be used for purposes as outlined in this rule. Officers shall receive handcuff training yearly. Training documentation shall be maintained in the staff training and record system that is maintained by the department.

(b) No change.

(c) No employee will be permitted to use or access handcuffs until he or she has completed the ~~basic~~ handcuff training provided by the department. Staff who have completed the training are authorized to carry department issued handcuffs upon their person during working hours. Staff who are authorized to carry firearms must have department issued

handcuffs on their persons when carrying firearms in the field. Nothing in this rule authorizes staff to carry department issued handcuffs while off duty.

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

(5) Use of chemical agents.

(a) through (e) No change.

(f) Use of chemical agents on animals shall be limited to those situations in which the officer is in danger of an immediate attack from the animal. Following use of chemical agents, the officer shall immediately remove himself from the area, contact local animal control officers or local law enforcement if there is no local animal control office, and make a formal complaint regarding the attack. Under no circumstances shall chemical agents be used on animals that ~~who~~ are not posing an immediate threat to the officer.

(g) through (7) No change.

Specific Authority 944.09 FS. Law Implemented 944.35 FS. History—New 5-28-86, Amended 8-6-90, 2-15-98, Formerly 33-24.017, Amended 10-2-01, 2-19-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tina Hayes

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2003

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Discipline – Miscellaneous Provisions      RULE NO.: 33-601.311

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to require provision of feedback to employees concerning disciplinary reports which have been rejected, disapproved, or dismissed, and to correct staff titles associated with the inmate discipline process.

SUMMARY: The proposed rule requires provision of feedback to employees concerning disciplinary reports which have been rejected, disapproved, or dismissed, and corrects staff titles associated with the inmate discipline process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.311 Inmate Discipline – Miscellaneous Provisions.

(1) Interstate Compact Cases. Inmates confined in this Department on interstate transfer are to be disciplined in the same fashion as anyone sentenced within the state of Florida. Following the review process, a copy of all disciplinary reports on interstate corrections compact cases (institutions) shall be forwarded to the ~~Bureau of Interstate corrections c~~ompact administrator in the Bureau of Classification and Central Records, who will then forward the disciplinary report to the sending state for information and concurrence.

(2) through (3) No change.

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

~~(5)(4) The Deputy Director of Institutions (classification) and programs~~ is authorized to order a disciplinary report expunged from the inmate record in cases effecting the integrity of the disciplinary process or procedures. No inmate has the right to request the expunging of a disciplinary report in conjunction with this subparagraph.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Michael Rathmann

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: April 4, 2003

## DEPARTMENT OF CORRECTIONS

RULE TITLE: Confidential Records  
RULE NO.: 33-601.901

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide clarification regarding access to and copying of department records and to ensure the confidentiality of protected health information is maintained in accordance with the Health Insurance Portability and Accountability Act (HIPAA), 45 CFR Part 160, 164.

SUMMARY: The proposed rule provides for guidelines for the dissemination and use of protected health information maintained by the department, incorporates new forms for this purpose, and provides clarification throughout regarding access to and copying of department records.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 945.10, 945.25 FS., 45 CFR Parts 160 and 164.

LAW IMPLEMENTED: 944.09, 945.10, 945.25, 947.13 FS., 42 USCS 290 ee-3, 45 CFR Parts 160 and 164.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.901 Confidential Records.

(1) Inmate and offender access to records or information.

(a) Inmate and offender access to non-medical and non-substance abuse records or information.

1. No inmate or offender under jurisdiction of the department shall have unlimited or routine access to any information contained in the records of the department. Section 945.10(3), F.S., authorizes the Department of Corrections to permit limited access to information if the inmate or offender makes a written request and demonstrates an exceptional need for information contained in the department's records and the information is otherwise unavailable. Such information shall be provided by the department when the inmate or offender has met the above requirements and can demonstrate that the request is being made under exceptional circumstances as set forth in s. 945.10(3), F.S.

2. It shall be the responsibility of the inmate or offender to maintain such information, and repeated requests for the same information shall not be honored. ~~(2)~~ Copies of documents which have been previously provided to the inmate or offender under other rules of the department will not be provided unless the inmate or offender can demonstrate that exceptional circumstances exist.

3.~~(3)~~ No inmate or offender shall have access to any other inmate's or offender's file.

4.~~(4)~~ An inmate desiring access to non-medical or non-substance abuse information shall submit the written request to his or her classification officer or officer-in-charge of a community facility; a supervised offender shall submit the request to his or her supervising officer. If the request does not meet the requirements specified in s. 945.10(3), F.S., the request shall be denied in writing. If the request meets the requirements specified in s. 945.10(3), F.S., the request shall be approved without further review. If the request meets the requirements specified in s. 945.10(3), F.S., but details exceptional circumstances other than those listed, the classification officer or officer-in-charge shall review the request and make a recommendation to the classification supervisor who shall be the final authority for approval or disapproval of requests from inmates; for supervised offenders, the recommendation shall be submitted to the correctional probation circuit administrator or designee who shall be the final authority for approval or disapproval.

(b) Inmate and offender access to their own medical or substance abuse clinical records.

1. Definitions.

a. "Medical record" as used in this rule includes the inmate's medical and dental files maintained by the department.

b. "Protected health information" or "PHI" as used in this rule means individually identifiable health information about an inmate or offender.

c. "Psychotherapy notes" as used in this rule means notes recorded by a mental health professional documenting or analyzing the contents of conversation during a private or group session. The term does not include medication prescription and monitoring, session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following: diagnosis, functional status, treatment plan, symptoms, prognosis, and progress to date.

d. "Substance abuse clinical record" as used in this rule means the department inmate file containing all written documents and records, including department forms compiled to detail an inmate's substance abuse history, substance abuse screening, assessment, intervention, and other substance abuse services, including the results of urinalysis testing done for treatment, program participation, and admission and discharge summaries.

e. “Substance abuse progress notes” as used in this rule means notes recorded by a substance abuse health care professional documenting or analyzing the contents of conversation during a private or group session. The term does not include session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following: diagnosis, functional status, treatment plan, symptoms, prognosis, and progress to date.

2. An inmate shall be allowed to have access to his own medical record and, if such exists, his own substance abuse clinical record. An inmate desiring access to his own medical record shall submit a written request to the health services administrator or his designee; an inmate desiring access to his own substance abuse clinical record shall submit a written request to the substance abuse program manager or his designee.

3. The department does not maintain medical records or substance abuse clinical records on offenders under community supervision. Access to records maintained by treatment providers under contract with the department should be requested by contacting the treatment provider.

4. Inmates shall have no access to psychotherapy notes or substance abuse progress notes maintained in the department’s records. Inmates and offenders shall have no access to health information compiled in reasonable anticipation of, or for use in, a civil, criminal, or administrative action or proceeding.

5. The request for access shall be denied in whole or in part due to any of the following reasons:

a. The request is for records or information identified in subparagraph 4. above.

b. The request is for PHI that was obtained from someone other than a health care provider under a promise of confidentiality and the access requested would with reasonable likelihood reveal the source of the information.

c. The request is for information not maintained or no longer maintained by the department in its files.

d. There has been a determination by a licensed or certified health care professional that:

I. The requested access is reasonably likely to endanger the life or physical safety of the inmate or another person;

II. The requested access is to PHI that makes reference to another person (other than a health care provider) and such access is reasonably likely to cause substantial harm to such other person; or

III. The access is requested by a personal representative of the inmate and such access is likely to cause substantial harm to the inmate.

6. All requests shall be granted, including providing access or copies or both, or denied, in whole or in part, by the health services administrator or his designee or substance abuse program manager or his designee in writing within 30 days of the date of receipt of the request, except that where the requested records are not maintained on-site, the department

shall provide or deny access, in whole or in part, within 60 days from receipt of the request. If the department is unable to grant or deny, in whole or in part, the request for access within the 30 or 60 day time periods, the department is authorized to extend the time for such action an additional 30 days by providing the inmate a written statement that the time period has been extended for 30 days and the reason(s) for the extension. This extension is available only one time.

7. Denials must provide:

a. The basis for the denial;

b. Information on where the requested information is maintained if sub-subparagraph 5.c. applies, and the department knows where the information is maintained;

c. Notification that the inmate may request a review of the denial by submitting a written request to the health services administrator or his designee in the case of medical records, or the substance abuse program manager or his designee in the case of substance abuse clinical records; and

d. That the inmate may grieve the denial through the inmate grievance process pursuant to Chapter 33-103, F.A.C.

8. Upon written request of the inmate to the staff member designated above, denials based on sub-subparagraph 5.d. shall be reviewed by a licensed or certified health care professional who is designated by the health services administrator or his designee or substance abuse program manager or his designee, and who did not participate in the original decision to deny the request. Review of the denial must be completed within a reasonable time after receipt of the request for review. Immediately upon determination on review, the inmate shall be notified in writing of the decision. The determination on review shall be followed by the department.

9. Where a request for access to an inmate’s medical record or substance abuse clinical record is denied in part, the department shall provide access to the requested record after excluding the information for which access was denied.

(c) Copies will be provided upon receipt of payment as provided in subsection (2) of this rule, except that when providing the inmate a copy of the requested information would jeopardize either the health, safety, security, custody of the inmate or of other inmates; or the safety of any officer, employee, or other person at the correctional institution or a person responsible for the transporting of the inmate, no copies shall be provided. A denial of copies on this basis shall not be subject to review under subparagraph (b)8. above.

(2)(5) If the information being requested requires duplication, the cost of duplication shall be paid by the inmate or offender, and the inmate or offender will sign a receipt for such copies. The cost for copying is \$0.15 per page for single-sided copies. Only one-sided copies will be made for inmates; two-sided copies will not be made for inmates. Additionally, a special service charge will be assessed for providing information when the nature or volume of the records requested requires extensive clerical or supervisory

assistance by department personnel. "Extensive" means that it will take more than 15 minutes to locate, review for confidential information, copy and refile the requested material. The special service charge will be computed to the nearest quarter of an hour exceeding 15 minutes based on the current rate of pay for the paygrade of the person who performed the service, but not to exceed paygrade 18. Exceptions will not be made for indigent inmates or offenders; indigent inmates will be required to pay for copies.

~~(3)~~(6) The following records or information contained in department files shall be confidential and shall be released for inspection or duplication only as authorized in this rule:

(a) Medical reports, opinions, memoranda, charts or any other medical record of an inmate or offender, including dental and medical classification reports as well as clinical drug treatment and assessment records; letters, memoranda or other documents containing opinions or reports on the description, treatment, diagnosis or prognosis of the medical or mental condition of an inmate or offender; the psychological screening reports contained in the admission summary; the psychological and psychiatric evaluations and reports on inmates or offenders; health screening reports; Mentally Disordered Sex Offender Status Reports. Other persons may review medical records only when necessary to ensure that the inmate's or offender's overall health care needs are met, or upon a specific written authorization from the inmate or offender whose records are to be reviewed, or as provided by law. If a request for inmate or offender medical records is submitted upon consent or authorization given by the patient inmate or offender, the department's Consent and Authorization for Inspection and ~~or~~ Release of Confidential Information, Form DC4-711B must be utilized in order to obtain inmate medical records held by the department. Form DC4-711B is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~Requests for forms to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is \_\_\_\_\_ September 19, 2000.~~ Offenders under supervision, or previously under supervision, who desire information from their own records, shall be referred to the agency or office originating the report or document to obtain such information. ~~Inmates desiring access to information in their own medical records shall submit a written request to the health information specialist/supervisor. If the request does not meet the requirements specified in subsection (1), the request shall be denied. If the request meets the requirements specified in subsection (1) and falls within exceptions (a) through (e) of s. 945.10(3), F.S., the request shall be approved without further review. The records will be provided upon receipt of payment. If the request meets the requirements specified in s. 945.10(3), F.S., but details exceptional circumstances other than those listed in (a) through (e) or falls within (f), the health information~~

~~specialist/supervisor shall review the request and make a recommendation to the chief health officer who shall be the final authority for approval or disapproval.~~

(b) Preplea, pretrial intervention, presentence and post-sentence investigation reports including supplements, addenda and updates, except as provided in s. 960.001(1)(g), F.S.

(c) No change.

(d) Florida Parole Commission records which are confidential or exempt from public disclosure by law.

(e) through (h) No change.

~~(4)~~(7) Blueprints, detailed physical diagrams, photographs of institutions and facilities and computer printouts containing information on inmates or offenders except those printouts specifically designated for public use are confidential and can be released only as provided in ~~paragraph (5) subsection (8)(d)~~ of this rule.

~~(5)~~(8) Unless expressly prohibited by federal law, the following confidential records or information may be released to the Office of the Governor, the Legislature, the Parole Commission, the Department of Legal Affairs, the Department of Children and Family Services, a private correctional facility or program that operates under a contract, ~~the Department of Legal Affairs,~~ a state attorney, the court, or a law enforcement agency:

(a) Preplea, pretrial intervention, presentence and postsentence investigations along with attachments to such reports, except as provided in s. 960.001(1)(g), F.S.;

(b) Florida Parole commission records;

(c) through (d) No change.

~~(6)~~(9) After victim information has been redacted, access to preplea, pretrial intervention, presentence or postsentence investigations is authorized as follows:

(a) To any other state or local government agency not specified in subsection ~~(5)~~(8) upon receipt of a written request which includes a statement demonstrating a need for the records or information;

(b) through (c) No change.

~~(d)~~ Written requests under paragraphs (b) and (c) above must be submitted to the Bureau Chief of Classification and Central Records or designee for approval if the request pertains to an inmate record. If the request pertains to a report in a supervision file, the request shall be submitted to the correctional probation circuit administrator or designee of the office where such record is maintained. If the request pertains to confidential health information is included in the presentence or postsentence investigation, authorization for release must be obtained from the inmate or offender; the request shall be submitted to the institutional chief health officer.

~~(7)~~(10) Parties establishing legitimate research purposes who wish to review preplea, pretrial intervention, presentence and postsentence investigation reports in the records of current

or prior inmates or offenders must obtain prior approval from the Bureau Chief of Research and Data Analysis. Parties seeking to review records pursuant to this section shall be required to submit a written request to the Bureau Chief of Classification and Central Records or designee if the report pertains to an inmate, or to the correctional probation circuit administrator or designee of the office where the record is located if the report pertains to a supervised offender. The written request must disclose the name of the person who is to review the records; the name of any organization, corporation, business, school or person for which the research is to be performed; the purpose of the research; any relationship to inmates or offenders or the families of inmates or offenders; and a confidentiality agreement must be signed. After submitting the required written request, research parties must receive written approval as described in this section prior to starting the project.

~~(8)(11)~~ Any information, whether recorded or not, concerning the identity, diagnosis, prognosis or treatment of any inmate or offender which is maintained in connection with the performance of any alcohol or drug abuse prevention or treatment function shall be confidential and shall be disclosed only as follows:

(a) With the prior written consent of the inmate or offender. The written consent shall include the following information:

1. through 8. No change.

9. The date, event, or condition upon which the consent will expire if not revoked before. This date, event, or condition must ensure that the consent will last no longer than reasonably necessary to serve the purpose for which it is given. If a request for inmate medical records is submitted upon consent given by the patient inmate/offender, the department's Consent and Authorization for Inspection and ~~or~~ Release of Confidential Information, Form DC4-711B, must be utilized in order to obtain medical records held by the department.

(b) Pursuant to 42 C.F.R. Part 2, the department is authorized to disclose information about an inmate or offender to those persons within the criminal justice system who have made participation in the program a condition of the disposition of any criminal proceedings against the inmate or offender or of the inmate or offender's parole or other release from custody if:

1. No change.

2. The inmate or offender has signed Form DC4-711B meeting the requirements of subsection ~~(8)(11)~~(a) except for the revocation provision in ~~(8)(11)~~(a)8. This written consent shall state the period during which it remains in effect. This period shall be reasonable, taking into account:

a. through c. No change.

(c) A disclosure may not be made on the basis of a consent which:

1. No change.

2. On its face substantially fails to conform to any of the requirements set forth in ~~(8)(11)~~(a) above:

3. through 4. No change.

(d) No change.

(e) Whether or not the inmate or offender has given written consent, 42 C.F.R. Part 2 permits disclosure of information as follows:

1. through 4. No change.

5. ~~To~~ Reports of suspected child abuse and neglect;

6. No change.

(9) Each employee of the Department of Corrections shall maintain as confidential all medical and mental health, including substance abuse information, regarding any inmate or offender that the employee obtains in conjunction with his or her duties and responsibilities, and shall not disseminate the information or discuss the medical, mental health or substance abuse condition of the inmate or offender with any person except persons directly necessary to the performance of the employee's duties and responsibilities. An employee who has been designated as a member of the healthcare transfer team or is part of a mental health or substance abuse treatment team shall not disseminate inmate medical or substance abuse information or discuss the medical or mental health or substance abuse condition of an inmate with any person except other members of the healthcare transfer team, medical, mental health or substance abuse staff, upper level management at the institution or facility level, regional level and central office level, inspectors from the Inspector General's Office, or department attorneys. Breach of this confidentiality shall subject the employee to disciplinary action. Each employee shall acknowledge receipt and review of Form DC2-813, Acknowledgement of Responsibility to Maintain Confidentiality of Medical Information, indicating that he understands the medical and substance abuse confidentiality requirements. Form DC2-813 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

(10) Each inmate assigned as an inmate worker, inmate assistant, substance abuse peer facilitator, or other assignment involving possible contact with health or substance abuse information about other inmates shall maintain as confidential all health or substance abuse information that he sees or hears while performing his duties and responsibilities, and shall not disseminate the information or discuss the medical or substance abuse information with any person except health care staff or substance abuse program staff. Failure to keep health or substance abuse information confidential and private shall subject the inmate to disciplinary action. Each inmate assigned as an inmate worker, inmate assistant, substance abuse peer facilitator, or other assignment involving possible contact with health or substance abuse information about other

inmates shall acknowledge receipt and review of Form DC1-206, Inmate Acknowledgement of Responsibility to Maintain Confidentiality of Health or Substance Abuse Information, indicating that he understands the medical and substance abuse confidentiality requirements. Form DC1-206 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

Specific Authority 20.315, 944.09, 945.10, 945.25 FS, 45 CFR Parts 160 and 164. Law Implemented 944.09, 945.10, 945.25, 947.13 FS. 42 USCS 290 ee-3, 45 CFR Parts 160 and 164. History--New 10-8-76, Amended 6-10-85, Formerly 33-6.06, Amended 1-12-89, 7-21-91, 9-30-91, 6-2-92, 8-4-93, 6-12-96, 10-15-97, 6-29-98, Formerly 33-6.006, Amended 9-19-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Rathmann  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 11, 2003

**DEPARTMENT OF CORRECTIONS**

RULE TITLES: Inmate Property  
Control of Contraband

RULE NOS.: 33-602.201  
33-602.203

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to provide for the handling of excess inmate legal materials, to revise the list of permissible property items, and to clarify requirements for the possession of property items and the classification and handling of contraband items.

SUMMARY: The rules provide for the handling of excess inmate legal materials, revise the list of permissible property items, and clarify requirements for the possession of property items and the classification and handling of contraband items.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09, 945.215 FS.

LAW IMPLEMENTED: 944.09, 944.47, 945.215 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

33-602.201 Inmate Property.

(1) The reception center Chief of Security shall ensure that property files are established for all new inmates. The inmate property file shall become part of the inmate's institutional file. All forms and correspondence pertaining to inmate property shall be placed in this file in chronological order. The Chief of Security or his designee shall be responsible for the maintenance of the inmate property file. An addendum will be made to the Inmate Personal Property List, Form DC6-224, any time the status of inmate personal property changes. Examples of changes include when an inmate receives additional property through an approved source or when the inmate chooses to dispose of a broken or worn out item. Form DC6-224 is incorporated by reference in subsection (17) of this rule.

(2) No change.

(3) Upon receipt at any facility of the department, a written receipt for personal property that is in excess of that allowed shall be given to the inmate. When it becomes necessary to confiscate and impound the authorized personal property of an inmate subsequent to his reception in the institution, it will be immediately inventoried by an officer in the presence of the inmate, and a written, signed receipt, Form DC6-220, Inmate Impounded Personal Property List, itemizing the property will be given to the inmate. Form DC6-220 is incorporated by reference in subsection (17) of this rule. If the inmate's behavior is such that the security and order of the institution is jeopardized by his presence during the inventory process, the inmate's presence shall not be required. In such cases a second officer shall witness the inventory process. Proper procedures will be taken to safeguard and store such property so as to prevent its loss, damage or theft. Upon release of the property, a signed receipt will be obtained from the inmate. Money in excess of the amount allowed by institutional policies found in the possession of an inmate will be handled in accordance with paragraph 33-602.203(5)(a), F.A.C.

(4) Authorized Property.

(a) The property reflected on the Approved Property List (Appendix One), in the indicated quantities, is authorized within the department once an inmate is permanently assigned, provided the inmate has sufficient storage space. An inmate may not use other inmates' storage space, ~~or~~ other non-authorized storage containers, or store property in locations other than their assigned housing unit.

(b) through (c) No change.

(d) Inmates shall be required to maintain receipts for items purchased from the canteen for as long as they possess the items. In instances where items purchased from the canteen are



added to the Inmate Personal Property List, Form DC6-224, by the property officer, the inmate will not be required to maintain the original canteen receipt.

(5) Unauthorized property. Also see Control of Contraband, Rule 33-602.203, F.A.C.).

(a) ~~Unauthorized property shall be~~ Property, which is considered contraband pursuant to Rule 33-602.203, F.A.C., shall be considered contraband and handled as provided for in Rule 33-602.203, F.A.C.

1. If an inmate receives postage stamps in the mail which, added to the number already in his possession, place him over the maximum allowed, he shall be allowed to send the excess stamps out at his own expense. It is the inmate's responsibility to make arrangements with staff to send out the extra stamps as soon as they are received. The stamps must be sent out; the institution will not store excess stamps for inmates. Excess stamps found in an inmate's property will be considered contraband.

2. An inmate who is in possession of the maximum number of articles allowed by this rule and who wishes to replace a worn item must contact the property officer to arrange to discard or send the worn item out at his own expense before purchasing a replacement item. This includes any item or article on the grounds of the department or in the possession of the inmate that was neither

1. Issued;

2. Received through approved methods from an authorized vendor;

3. Purchased in the canteen; or

4. Has been altered from its original design.

~~(b) Not later than January 1, 1998, all property not on the approved property list must be disposed of either through donation to a charitable organization, mailed to a designated individual at state expense, or discarded.~~

~~(b)(e)~~ Property that is authorized for inmates in general population such as shaving powders, oils and lotions shall be unauthorized or restricted based upon an inmate's confinement or other high security status when that item presents a security risk. Further limits on personal items for inmates in confinement or other high security statuses are authorized as referenced in Rules 33-602.220, 33-602.221, 33-602.222 and ~~33-601.800 33-601.814~~, F.A.C.

(6) Storage of Excess Legal Materials.

(a) Definitions.

1. Active Legal Material: Pleadings (i.e., complaint, petition or answer), legal motions and memoranda, affidavits, court orders and judgments, correspondence, and other documents (including discovery and exhibits), in or directly pertaining to an inmate's own pending, active or prospective cases or lawsuits before the courts or administrative agencies.

2. Inactive Legal Material: Legal material not related to the inmate's ongoing litigation, or not directly pertaining to an inmate's pending, active or prospective cases or lawsuits before the courts or administrative agencies.

3. Excess Active Legal Material: Active legal material that exceeds the capacity of storage available in the inmate's locker.

4. Excess Inactive Legal Material: Inactive legal material that exceeds the capacity of storage available in the inmate's locker.

(b) Storage of Legal Material. Each inmate is authorized to possess in his or her assigned housing area his own active or inactive legal material not exceeding the capacity of storage available in the inmate's assigned locker.

(c) Storage of Excess Active Legal Material.

1. A secure space for storing excess active legal material will be provided for inmates to use to store active legal material that cannot be contained in the inmate's locker. Each facility will identify a secure area for such storage.

2. When it is determined by the assistant warden or chief of security that an inmate has legal material that cannot be contained in the inmate's assigned locker, the inmate shall be given a written order from an employee of the department providing:

a. The inmate shall have one week (seven calendar days), to organize and inventory his or her legal material and separate excess inactive legal material from excess active legal material; and

b. If, after organizing and inventorying his or her legal material the inmate will not be able to fit his active legal material in his assigned inmate locker, the inmate shall complete a Request for Storage of Excess Active Legal Material, Form DC6-2006, and an Excess Active Legal Material Inventory List, Form DC6-2008, to be submitted to the warden for review. Forms DC6-2006 and DC6-2008 are incorporated by reference in subsection (17) of this rule.

3. If time is needed in excess of seven calendar days for the inmate to organize and inventory his or her legal material, the inmate shall, prior to the expiration of the seven calendar day period, submit an inmate request to the warden to ask for additional time to complete his review. The inmate shall specify the basis for the request for additional time and how much additional time will be required to complete the inmate's organizing and inventorying of his or her legal material. The total period of time for the inmate to complete this review shall not exceed 30 calendar days.

4. In the event the inmate refuses to organize and inventory his or her legal material as ordered, the inmate shall receive a disciplinary report.

5. Prior to placing an inmate's active legal material into excess storage, the inmate's legal material shall be subject to a cursory review by department staff to ensure compliance with department rules regarding utilization of excess storage.

approved property and contraband. This review will only be conducted in the presence of the inmate. Only the case style, signature on the document (if any) and letterhead (if any) may be read. Any material that is determined by staff to not be active legal material, shall be collected by two designated employees and placed in storage box(es) with interlocking flap for storage pending disposition. The warden or designee shall notify the inmate on Form DC6-2007, Excessive Inactive Legal Material Disposition Determination, of the determination that the inmate has 30 days to make arrangements to have the excess inactive legal material picked up by an approved visitor or sent to a relative or friend at the inmate's expense, or the institution will destroy it. This notification shall be provided to the inmate within three calendar days of the determination unless the inmate provides verification of a deadline that cannot be met with the three day waiting period. The 30 day limit shall not include any time that a grievance appeal is pending provided the inmate has provided the warden or the warden's designee with the written notice required in subparagraph (7)(c)6. Form DC6-2007 is incorporated by reference in subsection (17) of this rule. For purposes of this subparagraph, the warden's designee may include the property room supervisor.

6. If the inmate intends to appeal the determination and wishes to have the order to dispose of the excess inactive legal material within 30 days stayed while the appeal is proceeding, the inmate must provide written notice to the warden on Form DC6-236, Inmate Request, that he or she intends to appeal the determination to the office of the secretary. The written notice must be filed within 15 calendar days of the determination and shall include a statement by the inmate that the inmate intends to appeal the determination and must specifically identify the documents or papers on which the appeal is to be based. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

7. If the inmate fails to file written notice with the warden within 15 calendar days, fails to provide Form DC6-2007 as an attachment to his or her appeal, addresses more than one issue or in any other way violates the grievance procedure as described in Chapter 33-103, F.A.C., his or her appeal shall be returned without response to the issue raised.

8. If the inmate's appeal is denied, he or she shall have 30 days to make arrangements to have the material picked up by an approved visitor, relative or friend, or pay to have the material sent to one of these approved individuals. If the material is not picked up or mailed out within 30 days, the institution shall destroy it.

9. Prior to being stored in excess storage, excess active legal material shall be placed in storage box(es) with interlocking flap, shall be numbered in sequential order and shall have the inmate's name and department of corrections number clearly written on the top and side of each box. Prior to being sealed, the box(es) shall be inspected by staff, in the

presence of the inmate, for contraband. Each box shall be sealed in the presence of the inmate prior to being placed into excess storage. An Excess Active Legal Material Inventory List, Form DC6-2008, shall be completed or updated by the inmate before the box(es) are sent or returned to excess storage.

10. In no event will an inmate's active legal material be destroyed or removed from the facility except, in accordance with procedures for disposition of inmate personal property provided in this rule, as authorized and directed in writing by the inmate.

11. The department will not store case law, legal texts or books, or multiple copies of legal material as excess active legal material.

(d) Excess Inactive Legal Material. Excess inactive legal material shall be sent out of the facility by the inmate at the inmate's expense. If the inmate does not want to pay to send the excess inactive legal material out, this material will be destroyed in accordance with this rule and Rules 33-602.201 and 33-602.203, F.A.C., regarding inmate property and contraband.

(e) Inmate Access to Excess Active Legal Material.

1. When an inmate wants access to a box of his or her legal material stored in excess storage, the inmate shall:

a. Notify the property room officer by Inmate Request, Form DC6-236; and

b. Clearly indicate by number the box to be requested.

2. Barring an emergency need demonstrated by the inmate, e.g., a court deadline that requires an immediate response by the inmate, the property room officer shall provide the requested box to the inmate within three workdays from date of receipt of the request, which shall be date stamped when received.

3. After receipt of a box of his or her legal materials from excess storage, the inmate shall then be permitted to exchange those active legal materials in the requested box with other active legal materials in the inmate's assigned locker.

4. The legal material to be exchanged shall be inspected for contraband by staff and sealed in the presence of the inmate prior to the box being returned to excess storage.

5. An Excess Active Legal Material Inventory List, Form DC6-2008, shall be used and updated each time legal material is stored in or exchanged with legal material from excess storage.

(f) Transfer. An inmate being transferred to another institution shall be permitted to take along with his or her other personal property all his legal material. The transferred inmate's legal material must be maintained and possessed in accordance with the receiving institution's available locker storage space.

(7)(6) Impounded Property.

(a) When it is necessary to take and impound items of personal property belonging to or in the possession of an inmate, that property shall be taken, handled, processed, and

secured in a manner which will safeguard it from loss, damage, destruction or theft while it is under the control of the Department. If the property impounded does not belong to the inmate in possession of the property, an investigation shall be conducted to determine if the owner of the property knowingly permitted the use of the property. If so, the property shall be handled as contraband. If it can be determined that the property was stolen or otherwise taken, the impounded property shall be returned to the rightful owner. Inmates must report stolen items immediately to the housing officer. The officer shall complete an incident report and an attempt will be made to locate the missing property.

(b) When personal property of an inmate is taken, it will be inventoried according to the following procedure on Form DC6-220, Inmate Impounded Personal Property List, and, whenever practical, in the presence of the inmate. Exceptions may be made when the inmate's presence during this process jeopardizes institutional security or in times of an emergency such as a general disturbance creating security concerns. New inmates being processed into the department at one of the reception centers will have their property recorded on DC6-220 with a copy being given to the inmate. Unauthorized property will be stored pending final disposition as provided in this rule. At the time of receipt into the department each inmate will also sign an Authorization for Disposition of Mail and Property, Form DC6-226, which authorizes the department to dispose of the property should the inmate abandon it. Form DC2-226 is incorporated by reference in subsection (17) of this rule.

1. through 5. No change.

(c) through (d) No change.

(e) If it is appropriate to return part, but not all, of the impounded property to the inmate, the following procedure will be followed:

1. That part of the property being returned will be listed on the approved release Form DC6-225, Inmate Partial Property Return Receipt, and any property found to be missing at that time will be noted on the form. Form DC6-225 is incorporated by reference in subsection (17) of this rule. The employee making the release and the inmate will date and sign the release form each in the presence of the other. One signed copy of the release form shall be given to the inmate. One copy shall be attached to the original inventory list and kept with the remaining impounded property until all property is returned to the inmate, and then to the inmate's property file.

2. The remaining unauthorized impounded property shall be held by the institution for 30 days. It shall be the responsibility of the inmate to make arrangements to have the property picked up by an approved visitor, relative or friend. In the alternative, the inmate may pay to have the property mailed to one of these approved individuals. The 30-day time period shall not include any time during which an appeal or grievance proceeding relating to the impounded property is pending. This

paragraph does not apply to property that will be returned to the inmate pursuant to paragraph ~~(7)(6)~~(d) after release from close management, administrative or disciplinary confinement.

3. No change.

(f) No change.

(g) When an inmate whose personal property has been taken and impounded is transferred to another facility, that property shall be transported with the inmate or as soon as possible thereafter. It is the responsibility of the sending location to ensure that only authorized property is transported and that the inmate has signed the proper receipt for the property, Form DC6-227, Receipt for Personal Property. Form DC6-227 is incorporated by reference in subsection (17) of this rule. The procedures for returning property listed in paragraph (f) shall be followed. When the inmate has excessive authorized property which cannot be transported with the inmate, the procedures for making a partial return listed in paragraph (e) shall be followed.

(h) through (i) No change.

~~(8)(7)~~ Any inmate transferring to an outside community hospital for treatment or to a court appearance shall take only items of personal clothing and hygiene items except in those cases in which the inmate is expected to be absent for a period of more than 30 days. If the inmate is to return within 30 days, remaining personal property shall be inventoried utilizing Form DC6-220, Inmate Impounded Personal Property List, and stored in a secure location. When the inmate returns, only those items that he possessed before transfer will be allowed.

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

~~(11)(10)~~ When an inmate dies, escapes, or otherwise voluntarily abandons his or her property, the procedures listed below will be followed:

(a) through (c) No change.

(d) If the effort to locate the person or persons is not successful, or if the person or persons listed fail to make arrangements to take possession, property ~~other than money~~ will be given to charity. Funds in the inmate bank trust fund will be handled in accordance with Rule 33-203.201, F.A.C. Money will be placed in the Central Office Dormant Account.

(e) No change.

~~(12)(11)~~ No change.

~~(13)(12)~~ The warden or his designee is authorized to require an inmate to bring all of his personal property to the disciplinary hearing if he determines that this is necessary after evaluating the factors set out in subsection ~~(12)(11)~~ above.

~~(14)(13)~~ Missing Inmate Property.

(a) through (b) No change.

(c) If the loss is substantiated by the investigation, the warden or designee shall forward to the Department of Corrections Environmental Health, Safety and Risk Management Office a cover letter with recommendation of payment amount, a copy of the investigation with supporting

documentation including proof of ownership (Form DC6-224), and a completed Department of Financial Services Insurance Lien Disclosure.

(d) The Department of Corrections Environmental Health, Safety and Risk Management Office shall review and forward the claim to the Department of Financial Services Insurance, Division of Risk Management, for review and reimbursement consideration. Form DC6-238, Report of Risk Management Claim for Inmate Property, shall be used to notify the institution of action taken on the claim by the Department of Corrections Environmental Health, Safety and Risk Management Office. Form DC6-238 is incorporated by reference in subsection (17) of this rule.

(e) In the event that the Department of Financial Services Insurance, Division of Risk Management, decides to pay any or all of the inmate's claim, the following procedure will be followed:

1. through 2. No change.

~~(15)(14)~~ No change.

~~(16)(15)~~ Approved Religious Property. Inmates shall be permitted to possess the following religious items or material:

(a) No change.

(b) Items required by the tenets of a particular religion, including:

1. through 3. No change.

4. Native American – medicine bag, headband.

(c) through (g) No change.

~~(17)(16)~~ Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (e) No change.

(f) DC6-238, Report of Risk Management Claim for Inmate Property, effective date May 16, 2002.

(g) DC6-2006, Request for Storage of Excess Legal Material, effective date \_\_\_\_\_.

(h) DC6-2008, Excess Active Legal Material Inventory List, effective date \_\_\_\_\_.

(i) DC6-2007, Excess Inactive Legal Material Disposition Determination, effective date \_\_\_\_\_.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, \_\_\_\_\_.

APPENDIX ONE  
PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all Department institutions and facilities except community correctional centers. Except for items specified below as "exemptions", property received must be in compliance with this list. Inmates in possession of previously approved property which meets the description of property on the list shall be allowed to retain the property.

Definitions.

The "quantity" establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. Items found in the possession of an inmate that are in excess of the established "quantity" shall be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a "value" indicated, the authorized item shall not exceed that value. The terms "canteen" and "state issue" refer to the sources from which property can be obtained after January 1, 1996. All items with the "canteen" designation shall be available in all institutional canteens or through canteen order. All canteen items are transferable between institutions. "State issue" means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"

AUTHORIZED PROPERTY LIST

CLOTHING

Quantity	Unit	Value	Articles
1	each		Athletic Bra (canteen – female only)
1	each		Belt (state issue)
4	each		Bras (state issue or canteen – female only)
1	each		Coat (state issue)
3	each		Dresses (state issue – female only)
1	pair		Gloves, work (state issue)
4	each		Handkerchief, cotton, white only (canteen)
1	each		Hats (state issue)
2	pair		Pajamas-long ( <del>light blue or white only</del> ) (state issue or canteen) <u>Light blue or white – female only</u> Light blue – male
7	each		Panties (state issue or canteen – female only)
3	each		Pants (state issue)
1	each		Raincoat – clear (state issue or canteen)
1	each		Robe (state issue – female only)
3	each		Shirt, outer (state issue)
4	each		Shirt, T-Shirt (state issue or canteen <del>order – gray</del> )* <u>inmates may possess both state-issue and canteen-purchased shirts, but the total combined number cannot exceed 4.</u>
1	pair		Shoes, Athletic (canteen)
1	pair		Shoes, Work (state issue)
2	each		Shorts, athletic (navy blue) (canteen)
1	each		Shower cap, clear only (canteen)
1	pair		Shower slides (canteen)
3	each		Slips (state issue – female only)
6	pair		Socks (state issue or canteen)
1	each		Supporter, athletic (canteen)
2	each		Sweatshirts (gray only) (canteen order)
4	each		Undershorts (male only) (state issue or canteen)
2	each		Underwear, thermal (state issue or canteen)

PERSONAL ARTICLES

Quantity	Unit	Value	Articles
Number in use			Batteries (canteen)
25	each		Bobby pins, roller clips – plastic only (females only), (canteen)
*			Books (legal, educational, religious, fiction) - * Quantity as specified by Rule 33-501.401, F.A.C.
1	package		Breath tablets (canteen)
1	each		Calendar, as specified by Rule 33-501.401, F.A.C.
*			Canteen purchases –* limited by storage space; <u>includes:</u> – <u>Food and drink perishable items – limited to possession of 10 total items, food sold in packages count as one item; food that requires refrigeration must be those which can be reasonably consumed within two 24 hours; once a food item is opened it must be consumed or thrown away, opened items cannot be stored.</u> – <u>Condiments – limited to possession of 20 of each item; if sold prepackaged or bundled by the canteen, maximum not to exceed the quantity in the package or bundle.</u> – <u>Tobacco items – includes cigarettes, cigars, tobacco, snuff, and chewing tobacco; limited to any combination of 5 items.</u>

1	set	Checkers (light wood or plastic, standard checkers only (canteen order)
1	set	Chess (light wood or plastic, 2 inches max. height) (canteen order)
<u>1</u>	<u>each</u>	<u>Coffee mug – plastic (canteen)</u>
1	each	Comb-pocket type, no handles (non-metal) (state issue or canteen)
*		Correspondence -* limited by storage space limitations.
1	pack	Cotton swabs (plastic or paper stems only) (canteen)
<u>2</u> †	each	Crème rinse and conditioner (canteen)
1	each	Cup, drinking – plastic (canteen)
1	each	Cuticle remover (non-alcohol base) (canteen)
1	package	Dental floss, (floss loops only), unwaxed (canteen)
†	<del>package</del>	<del>Dental floss strips, Rx only (canteen order)</del>
1	each	Denture adhesive (state issue or canteen)
<u>1</u>	<u>each</u>	<u>Denture cup (canteen order)</u>
<u>2</u> †	each	Deodorant (no aerosols) (canteen)
1	set	Domino (light wood or plastic, standard size) (canteen order)
<u>1</u>	<u>pair</u>	<u>Earphone pads (replacement) (canteen order)</u>
1	pair	Ear rings, post type (female only) (canteen order)
*		<u>Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course.)</u>
1	pack	Emery board – cardboard (canteen)
1	pack each	Envelopes – legal and oversized (canteen)
*		Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack of envelopes or 25 1-ounce 1st class stamps as set for the individual items.
1	each	Erasers (canteen)
2	each	Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) Contact lenses will only be provided if medically indicated.
1	each	Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot cover-up, lip coloring (female only) (canteen)
1	box	Facial tissue (canteen) Feminine hygiene products (internal and external) (female only) (state issue or canteen)
*		File Folders (*limited by storage space)
1	each	Hairbrush -nonmetal, handles for females only (canteen)
<u>2</u> †	each	Hairdressing (no aerosols) <del>(state issue or canteen)</del>
1	each	Hair net (female only) (canteen)
25	each	Hair rollers (female only) (canteen)
<u>2</u>	<u>each</u>	<u>Handballs (canteen)</u>
1	each	Headphones for use with radio (canteen)
1	each	Health aids – headache and cold remedies, antacids, laxatives, eye wash, antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochlorida compounds (canteen – as approved by health services)
<u>2</u> †	each	Hearing aid (state issue or personal)
*		Hobby craft – at locations where program exists and subject to storage space limitations
1	each	Insect repellent (canteen)
1	each	Jigsaw puzzle (canteen order)
1	each	Laundry bag <del>(canteen or state issue)</del>
1	each	Lighter, disposable (approved type) (canteen)
1	each	Lip balm (canteen)

1	each		Locks, combination (V68 series) (canteen)
1	each		Make-up bag, clear only (female only) (canteen)
1	each		Mirror – plastic, non-breakable, 5 x 7" max. (canteen)
1	each		Moisturizer - no mineral oils (canteen)
1	each		Mouthwash (canteen)
1	each		Nail clippers, not to exceed 2 1/2" (canteen)
2	pack		Notebook paper (canteen)
4	each		Pens, ballpoint, flair-type, pencils, or security pens, no markers (canteen)
*			Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations
1	each		Photo album, non-metal (canteen)
50	each		Photographs (personal)
2	decks		Playing cards (standard) (canteen)
1	each		P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)
*			Prosthesis – * as approved by health services
1	each	50.00	Radio, DC/AM/FM only, “Walkman” type, maximum 4 x 5" (canteen)
1	each		Razor, disposable (state issue)
1	each	50.00	Razor, battery operated, non-rechargeable (canteen order)
*			Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)
1	each	<del>50.00</del> 25.00	Religious medallion with chain (personal or canteen order)
1	each	100.00	Ring, engagement (personal, female only)
1	each	100.00	Ring, wedding (personal)
1	each		Roller cap, clear only (female only) (canteen)
1	set		Scrabble (canteen order)
<u>2</u> †	each		Shampoo (canteen)
1	each		Shaving cream (canteen)
1	each		Shaving powder (canteen)
1	pair		Shoe laces (canteen)
1	each		Shoe wax (Liquid only, non flammable, no nitrobenzene; canteen)
<u>2</u> †	each		Soap, bath (state issue or canteen)
1	each		Soap dish (canteen)
1	each		Soap, laundry (canteen)
*			Special needs – * special devices as approved for compliance with medical needs
1	each		Spoon, plastic
<u>40</u> <del>25</del>	each		Stamps (1-ounce 1st class) (canteen)
1	each		Sunglasses, no mirror type (canteen)
1	each		Sunscreen lotion (canteen)
1	each		Talcum powder (canteen)
1	each		Toothbrush (state issue or canteen)
1	each		Toothbrush holder (canteen)
<u>2</u> †	each		Toothpaste (state issue or canteen)
2	each		Towels (state issue)
1	each		Wallet (canteen)
1	each	50.00	Watch (personal or canteen)
1	each		Watch band (canteen)
<u>1</u>	<u>each</u>		<u>Watch batteries, replacement (canteen order)</u>
2	each		Washcloths (state issue or canteen)

33-602.203 Control of Contraband.

(1) General Definition of Contraband.

(a) ~~Contraband is~~ Any item or article inside an institution or facility, on the property of a facility or in the possession of an inmate that was neither:

1. Issued,
2. Approved for purchase in at the canteen commissary,
3. Purchased through an approved source with official approval,
4. Authorized and approved for delivery by mail, nor
5. Authorized to be brought into the institution or facility.

(b) No change.

(c) Any item or article which is altered from its original design or is being used for a purpose other than that for which it was designed or authorized.

(d) Any item or article which is in excess of property limits provided in Rule 33-602.201, F.A.C.

(2) through (4) No change.

(5)(a) No money shall be given directly to or received by an inmate assigned to a work release community correctional center unless authorized by the chief of security or his designated representative. On a case by case basis, each chief of security may authorize a draw of funds from the inmate's account that has not been drawn from the inmate's bank fund or that exceeds the approved amount authorized under subsection 33-203.201(3), F.A.C., if a specific request is made and a review determines it is warranted. Any money found in the possession of an inmate in excess of \$75 ~~50~~ in work release community correctional centers shall be considered contraband and shall be confiscated and deposited in the inmate welfare trust fund.

(b) No change.

(6) No inmate shall manufacture or have in his possession any alcohol or alcoholic beverage, or have in his possession any drug such as a narcotic or barbiturate or hallucinogenic drug or central nervous system stimulant or substance prohibited by law, except when authorized to do so by a physician or other authorized medical personnel. When medication is found in an inmate's possession that is beyond the labeled expiration date, or for which the inmate does not have a valid prescription, or is in quantities indicative of hoarding, the medication will be handled as contraband and turned over to the medical department for disposition.

(7) Disposition of Contraband.

(a) Those contraband items retained for use in disciplinary hearings as evidence will be stored until such time as the warden or his designee approves of their being destroyed or disposed of. A secure area within the institution will be designated as the storage area for all contraband items. A Contraband Log, Form DC6-219, will be utilized to document the storage of contraband items. Form DC6-219 is hereby incorporated by reference. Copies of this form may be obtained

from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is March 2, 2000.

(b) Contraband items to be used during outside court cases as evidence will be referred to the Inspector General's Office for handling held as evidence by the institution inspector or senior inspector assigned to the criminal investigation. The Inspector General's Office will either assume custody of the contraband or instruct the institution to hold it as evidence. In either case, the initial confiscating authority will establish the chain of evidence, and ensure it is properly followed. Form DC1-801, Chain of Custody, shall be used for this purpose. Form DC1-801 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

(c) No change.

(d) Legal material belonging to another inmate shall be returned to the owner.

~~(e)~~ Except as described in paragraphs (c) and (d) above, any contraband found upon, or in the possession of, any inmate, shall be confiscated and the proceeds deposited in the Inmate Welfare Fund. Items containing no monetary value or that cannot be liquidated will be disposed of in one of the following manners:

1. Given to charity
2. Reused by institution, or
3. Destroyed.

(f) The provisions of the above this paragraph shall not be construed to apply to property impounded incident to the initial reception or the subsequent transfer of an inmate unless the inmate's possession of the property was in violation of law or Department or institution rule.

~~(g)~~ (e) No change.

(h) A seized contraband item that results in criminal charges shall be stored for six months or until the conclusion of the court proceedings. Confiscated weapons shall be stored for six months pending the outcome of the disciplinary charges and conclusion of the grievance process or the court proceedings. Staff shall obtain the approval of the warden or assistant warden prior to the item being destroyed or disposed of unless the item is in the possession of the Inspector General's Office, wherein that office's destruction of evidence process will be followed.

(i) Regardless of whether or not the seized contraband results in a disciplinary report or criminal charges, the inmate is authorized to appeal the action through the grievance process to have the property returned. If the inmate chooses to file a grievance, the inmate must notify the warden of his intent on an Inmate Request, Form DC6-236, within 20 days of the



seizure of the items. If no notice is received and the inmate has not been temporarily impeded from sending such notice due to unavoidable circumstances such as court appearances or hospitalization, the warden or assistant warden is authorized to approve disposal of the contraband. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(8)(a) All cells, lockers, dormitories and other areas of an institution may be searched in a reasonable manner at any time. A copy of Form DC6-220, Inmate Impounded Personal Property List, shall be given for any property taken in such a search if the inmate acknowledges possession or if the property was taken from an area occupied by the inmate or under his control. The inmate's acceptance of his copy of Form DC6-220 shall not constitute admission of possession of contraband. Form DC6-220 is ~~hereby~~ incorporated by reference in subsection 33-602.201(16), F.A.C. Copies of the form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is March 2, 2000.

(b)1. ~~The Regional Director of Institutions is authorized to may~~ declare an emergency situation to exist if he finds, upon the advice and request of the warden, that an immediate mass search ~~shakedown~~ is necessary to preserve the security and order of the institution and sufficient staff are not available to follow routine procedures of accounting and receipting for property. Within 72 hours after the declaration, the warden shall prepare a written statement setting forth the facts showing such emergency, which statement shall be forwarded to the Regional Director, who shall prepare a report to the Secretary justifying the declaration.

2. Copies of Form DC6-220 do not have to be given immediately for property taken during such a mass search ~~shakedown~~. However, the property taken shall be kept and preserved, identified as to the area from which it was taken, and the inmate shall receive a copy of Form DC6-220 as soon as practicable after the emergency has ceased. Property unclaimed after 30 days shall be disposed of as provided in subsection (7).

3. If items of inmate personal property are damaged or destroyed by Department staff during routine searches ~~shakedowns~~, emergency searches ~~shakedowns~~ or while impounded, the warden or his designee shall cause an investigation to be made to determine:

- a. through e. No change.
- 4. No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Michael Rathmann

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2003

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Conducting a Business While Incarcerated  
RULE NO.: 33-602.207

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the department's policy prohibiting inmates from conducting a business or profession while incarcerated.

SUMMARY: The proposed rule defines "business or profession," provides guidelines for enforcement of the requirement that inmates not conduct a business or profession while incarcerated, provides a process for assignment of authority for the operation of a business when initially incarcerated, and provides a process for obtaining approval for a single transaction.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.207 Conducting a Business While Incarcerated.

(1) No inmate shall establish or engage actively in a business or profession while incarcerated.

(2) For the purposes of this rule, a business or profession is defined as any revenue generating or profit making activity or any activity having the potential to generate revenue or profit for the inmate while incarcerated. Activity so defined is prohibited due to the fact that profit or revenue potential creates the opportunity for fraud and increases inmate interest in participation in business activity, resulting in an increase in the volume of mail and telephone activity. This increased volume places an undue burden on staff to monitor the additional mail and telephone calls to ensure the security and order of the institution and the safety of staff, inmates and the

general public. Engaging in a business or profession also includes individual activities with profit or revenue potential, such as one-time submission of a single manuscript for publication when such publication will result or has the potential to result in the generation of revenue for the inmate, unless the inmate obtains approval from the warden for the individual transaction. The warden shall base the decision to approve or disapprove the request on whether the transaction presents a threat to the security, order or effective management of the institution, to the rehabilitative objectives of the correctional system, or to the safety of any person. Inmates shall not be permitted to circumvent the purpose of this rule by making repetitive or serial single transaction requests. Such requests shall not be approved by the warden.

(3) An inmate who is engaged in a business or profession prior to commitment to the department shall assign authority for the operation of such business or profession to a person in the community within 90 days of commitment. When it is necessary to utilize the mail or telephone for this purpose, the inmate shall coordinate this activity through his classification officer.

(4) Incoming or outgoing mail relating to the direction of an inmate's business or profession shall be rejected.

(5) Any inmate who attempts to conduct a business or profession through the mail, telephone, or any other avenue of communication while incarcerated shall be subject to disciplinary action in accordance with Rules 33-601.301-.314, F.A.C.

(6) Inmates shall not be restricted from mail, telephone, or other non-prohibited communications necessary to enable an inmate to protect property and funds that were legitimately the inmate's at the time of commitment.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
James Upchurch

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2003

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

RULE TITLE: Nursing Home Subdistricts  
PURPOSE AND EFFECT: The agency proposes to amend paragraphs (2)(d) and (3)(c) of Rule 59C-2.200, F.A.C., revising the description of nursing home subdistricts for agency District 3. In the current rule, the entire 16-county area is defined as one nursing home subdistrict for purposes of

RULE NO.: 59C-2.200

certificate of need (CON) planning and review. By action of the North Central Florida Health Planning Council, which is the Local Health Council serving District 3, the 16 counties have recently been grouped into seven defined subdistricts. The proposed amendments to Rule 59C-2.200, F.A.C., reflect this change.

SUMMARY: The agency is proposing new nursing home subdistricts for agency District 3, consistent with action by the North Central Florida Health Planning Council.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None prepared.

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

SPECIFIC AUTHORITY: 408.034(6), 408.15(8) FS.

LAW IMPLEMENTED: 408.033(1)(b) 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: 2:00 p.m., June 10, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Davis, Certificate of Need, 2727 Mahan Drive, Building 1, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59C-2.200 Nursing Home Subdistricts.

(1) No change.

(2) Definitions.

(a) "Agency." The Agency for Health Care Administration.

(b) "District." A health service planning district of the agency defined in subsection 408.032(5), Florida Statutes.

(c) "Local Health Council." The council referenced in section 408.033, Florida Statutes.

(d) "Subdistrict." A group of counties, a county, or a portion of a county which forms a subdivision of a district. For purposes of this rule, ~~ten nine~~ of the eleven districts of the agency are divided into subdistricts; ~~District 3 and District 10~~ is are not divided.

(3) Nursing Home Subdistricts. The nursing home subdistricts are defined and numbered as follows:

(a) through (b) No change.

(c) Subdistricts for District 3.

1. Subdistrict 3-1 consists of Columbia, Hamilton and Suwannee Counties.

2. Subdistrict 3-2 consists of Alachua, Bradford, Dixie, Gilchrist, Lafayette, Levy and Union Counties.

- 3. Subdistrict 3-3 consists of Putnam County.
- 4. Subdistrict 3-4 consists of Marion County.
- 5. Subdistrict 3-5 consists of Citrus County.
- 6. Subdistrict 3-6 consists of Hernando County.
- 7. Subdistrict 3-7 consists of Lake and Sumter Counties all

~~of District 3. For purposes of need determination under rule 59C 1.036, District 3 is treated in the same manner as a subdistrict.~~

(d) through (k) No change.

Specific Authority 408.15(8), 408.034(6)(~~5~~) FS. Law Implemented 408.033(1)(b), ~~408.034(3)~~ FS. History--New 2-12-96, Amended 10-31-96,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
John Davis, Health Services and Facilities Consultant

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Rivera, Consultant Supervisor

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

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Purchasing**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
General Regulations	60A-1
RULE TITLE:	RULE NO.:
Vendors and Contractors	60A-1.006

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

SUMMARY: Amends existing rule to conform to proposed new Rule 60A-1.030, concerning vendor registration in MyFloridaMarketPlace.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

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

LAW IMPLEMENTED: 287.032, 287.042, 287.057 FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Frederick J. Springer, Office of the General Counsel, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)487-1898, (850)922-6302 (facsimile), springf@dms.state.fl.us (e-mail).

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.006 Vendors and Contractors.

(1) Registration of All Vendors Doing ~~Repetitive~~ Business with the State – All vendors desiring to sell to doing business with the State on a repetitive basis for the sale of commodities or contractual services as defined in Section 287.012, F.S., shall register in MyFloridaMarketPlace, the State e-procurement system, in compliance with Rule 60A-1.030, F.A.C. and desiring to register with State Purchasing are required to submit to State Purchasing a properly completed “Vendor Registration Application”, Form PUR 7054 (Rev. 8-96), hereby incorporated by reference. When a firm is registered, a Vendor Registration Number will be issued to the applicant for retention until further notice by State Purchasing. The Vendor Number shall thereafter appear on all bid or negotiation or proposal documents submitted to any State agency for identification purposes. The integrity, reliability and qualifications of a bidder or offeror, with regard to the capability in all respects to perform fully the contract requirements, shall be determined by the agency prior to the award of the contract.

(2) through (6) No change.

Specific Authority 120.57(3)(d), 287.042, ~~287.057(23)(d)~~ FS. Law Implemented 120.57(3), 287.042, 287.017, ~~287.057~~, 287.133 FS. History--New 5-20-64, Revised 2-6-68, 5-20-71, Amended 7-31-75, 10-1-78, 12-11-79, 2-26-80, 8-6-81, 10-11-81, 11-10-81, 2-11-82, 8-10-82, 10-13-83, 11-12-84, 12-17-85, Formerly 13A-1.06, Amended 2-9-87, 11-3-88, 1-18-90, 4-10-91, 9-1-92, Formerly 13A-1.006, Amended 4-24-94, 1-9-95, 7-6-98, 1-2-00,

NAME OF PERSON ORIGINATING PROPOSED RULE: Ed Rodriguez, Deputy Secretary, Department of Management Services

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

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

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Purchasing**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
General Regulations	60A-1
RULE TITLE:	RULE NO.:
MyFloridaMarketPlace Vendor Registration	60A-1.030

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

SUMMARY: Requirement that vendors register in the MyFloridaMarketPlace system; requirement that agencies do business only with registered vendors; exceptions to registration requirement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

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

LAW IMPLEMENTED: 287.032, 287.042, 287.057 FS.

IF REQUESTED 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., June 9, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Frederick J. Springer, Office of the General Counsel, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)487-1898, (850)922-6302 (facsimile), springf@dms.state.fl.us (e-mail).

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.030 MyFloridaMarketPlace Vendor Registration.

(1) Each vendor doing business with the State for the sale of commodities or contractual services as defined in section 287.012, Florida Statutes, shall register in the MyFloridaMarketPlace system, unless exempted under subsection 60A-1.030(3), F.A.C. Information about the registration process is available, and registration may be completed, at the MyFloridaMarketPlace website (link under Business on the State portal at www.myflorida.com). Interested persons lacking Internet access may request assistance from the MyFloridaMarketPlace Customer Service at (866)FLA-EPRO, (866)352-3776 or from State Purchasing, 4050 Esplanade Drive, Suite 300, Tallahassee, Florida 32399.

(2) An agency shall not enter into an agreement for the sale of commodities or contractual services as defined in Section 287.012, Florida Statutes, with any vendor not registered in the MyFloridaMarketPlace system, unless exempted under subsection 60A-1.030(3), F.A.C.; provided, however, that an agency may do so if the agency purchasing director (or designee) determines in writing (or electronically)

that it is necessary to do so to prevent significant interference with the agency's mission, in which case the following provisions apply:

(a) Before the agency legally binds itself to the transaction, the agency shall advise the unregistered vendor of this Rule 60A-1.030, F.A.C.:

(b) In entering into the transaction, the vendor agrees that it is subject to the terms of use of the MyFloridaMarketPlace system and to the related rules; and

(c) The vendor shall be registered in the system within twenty days after providing the commodities or services at issue, and the goods or services shall not be deemed finally approved until the registration process is completed.

(3) Notwithstanding subparagraphs (1) and (2), an agency may enter into an agreement for the sale of commodities or contractual services as defined in section 287.012, Florida Statutes, with an unregistered vendor if, and only if, one or more of the following conditions is satisfied:

(a) The transaction can be consummated only through use of the State purchasing card (e.g., when a state employee is away from the office and needs to make a field purchase);

(b) The transaction, though capable of being consummated through the system, involves commodities or contractual services concerning which the Department has delegated to agencies written permission to purchase through use of the State purchasing card (e.g., travel arrangements);

(c) Information about the vendor is exempt from disclosure under the Public Records Law, Chapter 119, F.S.;

(d) The transaction is with a person or entity providing one of the following:

1. Health care services at or below Medicaid rates;

2. Commodities or services compensated for by payments from the Agency for Health Care Administration fiscal agent;

3. Children's medical services under Chapter 391, Florida Statutes;

4. Services under the Brain and Spinal Cord Injury Program;

5. Commodities or services specific to the Department of Health, Division of Disability Determination;

6. Commodities or services specific to the Child Care Food Program;

7. Commodities or services specific to the Developmental Disabilities Program;

8. Commodities or services specific to purchase-client services under the Vocational Rehabilitation or Blind Services programs;

9. Commodities or services related to investigations or prosecutions in professional license disciplinary matters;

10. Any commodity which is necessary for a public project and which is acquired by a governmental entity possessing the power of eminent domain in connection with a public project; or

11. Any commodity or service with respect to which the provider is deemed not to be a vendor, but rather a recipient of a disbursement of state financial assistance as defined in Section 215.97, Florida Statutes, or a sub-recipient of a disbursement of a federal award as defined in Circular A-133 of the U.S. Office of Management and Budget.

(4) An agency entering into an agreement with an unregistered vendor for the sale of commodities or contractual services as defined in Section 287.012, Florida Statutes, is solely responsible for establishing with the Department of Financial Services a means for ensuring that the agency can pay the vendor through the State accounting system (FLAIR or its successor).

(5) Notwithstanding any contrary terms of use agreed to during the vendor registration process, a governmental body registering as a vendor shall not be deemed thereby to have waived any immunity accruing under the law.

Specific Authority 287.042(12), 287.057(23) FS. Law Implemented 287.032, 287.042, 287.057 FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ed Rodriguez, Deputy Secretary, Department of Management Services

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

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

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Purchasing**

RULE CHAPTER TITLE: General Regulations  
 RULE CHAPTER NO.: 60A-1  
 RULE TITLE: MyFloridaMarketPlace Transaction Fee  
 RULE NO.: 60A-1.031

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

SUMMARY: Requirement that agencies include language relating to the MyFloridaMarketPlace transaction fee in all agency purchasing transaction; requirement that vendors report and pay transaction fee.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12), 287.057(23) FS.  
 LAW IMPLEMENTED: 287.032, 287.042, 287.057 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A RULE 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., June 9, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Frederick J. Springer, Office of the General Counsel, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)487-1898, (850)922-6302 (facsimile), springf@dms.state.fl.us (e-mail).

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.031 MyFloridaMarketPlace Transaction Fee.

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

MyFloridaMarketPlace Transaction Fee

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

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

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

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

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

(a) The vendor shall report. (i) the total amount of payments received against State agreements during the reporting period, (ii) the portion of that total that is exempt from the Transaction Fee pursuant to Rule 60A-1.032, F.A.C., (iii) the amount of Transaction Fees that have been automatically deducted by the system, and (iv) the amount of Transaction Fees that have been billed by the system but not automatically deducted.

(b) With its report, the vendor shall include payment of any Transaction Fee amounts due for the reporting period that have not been automatically deducted. Amounts due include both the amount billed during the reporting period and any amounts not billed but otherwise due (e.g., sales to non-State entities eligible to purchase from State contracts).

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

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

Specific Authority 287.042(12), 287.057(23) FS. Law Implemented 287.032, 287.042, 287.057 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ed Rodriguez, Deputy Secretary, Department of Management Services

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

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

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Purchasing**

RULE CHAPTER TITLE: General Regulations  
RULE TITLE: MyFloridaMarketPlace Transaction Fee Exceptions

RULE CHAPTER NO.: 60A-1  
RULE NO.: 60A-1.032

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

SUMMARY: Exceptions to the MyFloridaMarketPlace transaction fee that otherwise would apply under Rule 60A-1.031, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

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

LAW IMPLEMENTED: 287.032, 287.042, 287.057 FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Frederick J. Springer, Office of the General Counsel, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)487-1898, (850)922-6302 (facsimile), springf@dms.state.fl.us (e-mail)

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.032 MyFloridaMarketPlace Transaction Fee Exceptions.

(1) The following transactions are exempt from the Transaction Fee that would otherwise apply under Rule 60A-1.031, F.A.C. Exemption from paying the Transaction Fee does not in itself exempt the vendor or an agency from the registration requirements of Rule 60A-1.030, F.A.C.

(a) Procurements under Section 337.11, Florida Statutes; provided, however, that the procuring agency may elect to conduct such procurements via MyFloridaMarketPlace and impose the Transaction Fee, in which case the agency shall ensure that such terms are conspicuously included in the solicitation documents.

(b) Procurements under Section 287.055, Florida Statutes.

(c) Procurements under Chapter 255, Florida Statutes, provided, however, that the procuring agency may elect to conduct such procurements via MyFloridaMarketPlace and impose the Transaction Fee, in which case the agency shall ensure that such terms are conspicuously included in the solicitation documents.

(d) Transactions with an entity designated as non-profit under the Internal Revenue Code or by the Florida Secretary of State, unless such entity is awarded a contract following a competitive solicitation involving for-profit entities and the contract, if awarded to a for-profit entity, would be subject to the transaction fee.

(e) Transactions with another governmental agency, as defined in Section 163.3164, Florida Statutes, with a private university in Florida, with an agency of another state, or with another sovereign nation, unless such entity is awarded a contract following a competitive solicitation involving private entities and the contract, if awarded to a private entity, would be subject to the transaction fee.

(f) Transactions in which law or government regulation requires that the commodity or service be provided by a sole provider (e.g., regulated utilities, legislatively mandated transactions, etc.) and transactions in which the price paid and the payee are established by federal or private grant.

(g) Payments to unregistered vendors under subsection 60A-1.030(3), F.A.C.

(h) Payments to a vendor in exchange for providing health care services at or below Medicaid rates, even if the vendor is otherwise registered in MyFloridaMarketPlace.

(i) Disbursements of State financial assistance to a recipient as defined in the Florida Single Audit Act, Section 215.97, Florida Statutes; disbursements of federal awards to sub-recipients as defined in Circular A-133 of the U.S. Office of Management and Budget; payments of State dollars to satisfy federal Maintenance of Efforts requirements; and payments of State dollars for matching federal awards.

(2) With the Department's prior written approval an agency may exempt a particular transaction from the Transaction Fee. As a necessary condition to obtaining this approval, the requesting agency shall provide to the Department its agency head's (or designee's) written (or electronic) determination, with all supporting facts and circumstances, that:

(a) The transaction is critical to the agency's mission or necessary for the public health, safety, or welfare; and

(b) Imposition of the fee would prevent the consummation of the transaction.

The requesting agency shall direct the request and supporting documentation to the Director of State Purchasing, who shall respond to the agency within fourteen days, either granting approval, denying approval, or requesting additional information. Requests outstanding for more than fourteen days shall be deemed approved. Once the Department has approved

a transaction under this subsection, the agency need not seek approval of subsequent directly related transactions (e.g., individual payments under a multi-year contract or under a blanket purchase order).

(3) An agency may exempt a particular transaction from the Transaction Fee if (a) the governor suspends purchasing regulations due to an emergency or (b) the agency head declares an emergency under Section 287.057(5)(a), Florida Statutes, or other statutory basis. In case of an agency-declared emergency under Section 287.057(5)(a), Florida Statutes, the agency shall identify every transaction that it has exempted from the Transaction Fee in the documentation it submits to the Department.

Specific Authority 287.042(12), 287.057(23) FS. Law Implemented 287.032, 287.042, 287.057 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ed Rodriguez, Deputy Secretary, Department of Management Services

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE TITLE: Probable Cause Determinations

RULE NO.: 61G1-11.005

PURPOSE AND EFFECT: The Board proposes the rule amendments in response to comments from the Joint Administrative Procedures Committee.

SUMMARY: The proposed rule amendments address the membership of the probable cause panel.

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

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

SPECIFIC AUTHORITY: 455.225 FS.

LAW IMPLEMENTED: 455.225 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-11.005 Probable Cause Determinations.

Probable cause determination as to violation of Chapter 481, Chapter 455 and rules promulgated pursuant thereto shall be made by a probable cause panel of three (3) Board members; ~~consisting of two (2) architects and one (1) interior designer.~~ Said members shall be appointed as a standing probable cause committee at the first board meeting of each calendar year and shall serve for a period of one (1) year. ~~Former A-former Board members, if willing to serve, may be appointed. Any panel must include one of the Board's former or present consumer members if one is available, willing to serve, and authorized by the Board Chair.~~ All proceedings of the probable cause panel shall be conducted in accordance with Chapters 120 and 455, Florida Statutes.

Specific Authority 455.225 FS. Law Implemented 455.225 FS. History--New 12-23-79, Amended 2-3-81, Formerly 21B-11.05, Amended 8-20-89, Formerly 21B-11.005, Amended 6-8-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Architecture and Interior Design

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 10, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Foreign Degrees RULE NO.: 61G15-20.007

PURPOSE AND EFFECT: The Board proposes to amend the existing text to ensure that the stated requirements are more closely aligned to the criteria for approval of engineering programs as established by the Education Accreditation Commission of the Accreditation Board for Engineering and Technology (EAC/ABET).

SUMMARY: The amendments to this rule update the requirements for documenting substantial equivalency to an EAC/ABET accredited degree through regrouping of mathematics and basic sciences, deletion of obsolete language concerning Board independent evaluation of engineering programs, and regrouping remaining provisions of the rule to show what must be demonstrated in course work to document "substantial equivalency" to an EAC/ABET accredited engineering degree, as established by criteria in the 2002 annual report of ABET.

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: 471.013 FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Natalie Lowe, Administrator, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-20.007 Foreign Degrees.

(1) Applicants having degrees from foreign institutions shall be required to document "substantial equivalency" to the Accreditation Board for Engineering and Technology, Inc. (ABET) engineering criteria, as found in the 2002 ~~1996~~ annual report of ABET. This document is hereby incorporated by reference.

(2) In order to document "substantial equivalency" to an ABET accredited engineering degree, the candidate must demonstrate:

(a) 32 ~~16~~ college credit hours of higher mathematics and basic sciences. The ~~These~~ hours of mathematics must be beyond algebra and trigonometry and must emphasize mathematical concepts and principles rather than computation. Courses in differential calculus, integral calculus, and differential equations are required. Additional courses may include probability, statistics, linear algebra, numerical analysis, and advanced calculus. As for the hours in basic sciences, ~~(b) 16 college credit hours of basic sciences.~~ ~~Courses~~ in general chemistry and calculus-based general physics are required, with at least a two semester (or equivalent) sequence of study in either area. Additional basic sciences courses may include life sciences (biology), earth sciences (geology), and advanced chemistry or physics. Computer skills and/or programming courses cannot be used to satisfy mathematics or basic science requirements.

~~(b)(e)~~ 16 college credit hours in humanities and social sciences. Examples of traditional courses in this area are philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics, and no more than 6 credit hours of languages other than English or other than the applicant's native language. Courses in technology and human affairs, history of technology, professional ethics and social responsibility are also acceptable. Courses such as accounting, industrial management, finance, personnel administration, engineering



economics and military training are not acceptable. Courses which instill cultural values are acceptable, while routine exercises of personal craft are not.

~~(c)(d)~~ 48 college credit hours of engineering science and engineering design. Courses in this area have their roots in mathematics and basic sciences but carry knowledge further toward creative application. Examples of traditional engineering science courses are mechanics, thermodynamics, electrical and electronic circuits, materials science, transport phenomena, and computer science (other than computer programming skills). Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation. In order to promote breadth, at least one engineering course outside the major disciplinary area is required.

~~(d)(e)~~ In addition, evidence of attainment of appropriate laboratory experience, computer based skills with engineering applications, competency in English, knowledge of probability and statistics, and understanding of the ethical, social, economic and safety considerations of engineering practice must be presented. As for competency in English, transcripts of coursework completed, course content syllabi, notarized testimonials from employers, college level, advance placement tests, Test of English as a Foreign Language (TOEFL) scores of at least 550 in the paper based version, or 213 in the computer based version, will be accepted as satisfactory evidence.

(3) The FBPE Educational Advisory Committee shall make the final decision regarding equivalency of programs and shall make recommendations to the Board as to whether an applicant shall be approved for admittance to the examination or for licensure by endorsement.

~~(4) The Educational Advisory Committee in making its evaluation will consider the following elements: faculty, curricula, students, administration and commitment.~~

~~(a) Institutional factors including but not limited to, recognition by appropriate governmental authority, standing within the profession, accreditation status, and recognition by other evaluation agencies shall be considered.~~

~~(b) ABET minimum curricular content requirements in mathematics and basic sciences, humanities and social sciences, engineering sciences, and engineering design must be met as set forth in subsection (2).~~

~~(c) Transcripts of coursework completed, course content syllabi, notarized testimonials from employers, college level advance placement tests, Test of English as a Foreign Language (TOEFL) scores of at least 550 in the paper based version, or 213 in the computer based version, will be accepted as satisfactory evidence.~~

~~(4)(5)~~ The applicant must request an evaluation of substantial equivalency of his or her credentials to ABET standards through either Engineering Credentials Evaluation International, P. O. Box 13084, Baltimore, MD 21203-3084, or Joseph Silny & Associates, Inc., P. O. Box 248233, Coral Gables, Florida 33124.

~~(5)(6)~~ Applicants who have completed a post baccalaureate engineering program from a school or college in the United States which has an ABET accredited engineering curriculum in that discipline at the baccalaureate level shall be deemed to have met the required hours in humanities and social sciences.

~~(6)(7)~~ Any applicant whose only educational deficiency under subsection (2) involves humanities and social sciences shall be entitled to receive conditional approval to take the Fundamentals examination. Such an applicant shall not become eligible for the Principles and Practice examination until satisfactory completion and documentation of the necessary hours in humanities and social sciences as provided in subsection (2), or completion and documentation of a post baccalaureate degree in engineering as provided in subsection (6).

Specific Authority 471.008 FS. Law Implemented 471.013, 471.015 FS. History—New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02, 6-13-02, 6-30-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 24, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 28, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Definitions  
RULE NO.: 61G15-22.002

PURPOSE AND EFFECT: The Board proposes to add a definition for “commercial educator.”

SUMMARY: For the purpose of defining a continuing education provider category, “Commercial educator” is defined as an individual or business organization trained in teaching/offering education courses for a profit.

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

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

SPECIFIC AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008 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: Natalie Lowe, Administrator, Board of Professional Engineers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-22.002 Definitions.

(1) through (5) No change.

(6) Commercial educator: An individual or business organization trained in teaching and offering education courses for a profit.

Specific Authority 455.213(6), 455.2177, 455.2178, 455.2179, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008 FS. History--New 9-16-01, Amended 8-1-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 24, 2003

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

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

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Banking**

RULE NO.:	RULE TITLE:
3C-100.600	Appraisals, and Appraisal Standard Policies of State Financial Institutions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule development, as noticed in Vol. 28, No. 52, December 27, 2002, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BANKING AND FINANCE**

**Division of Banking**

RULE NO.:	RULE TITLE:
3C-105.407	Branch Office Closing

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 52, December 27, 2002, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Office of Agricultural Water Policy**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
5M-4	Interim Measures for Tri-County Agricultural Area Farms

RULE NOS.:	RULE TITLES:
5M-4.001	Purpose
5M-4.002	Approved Interim Measure Best Management Practices
5M-4.003	Notice of Intent to Implement
5M-4.004	Record Keeping

NOTICE OF WITHDRAWAL

Pursuant to Section 120.54(3)(d)1., Florida Statutes, notice is hereby given that the above proposed rule, as noticed in Vol. 29, No. 17, April 25, 2003, issue of the Florida Administrative Weekly, has been withdrawn in response to comments received from the Joint Administrative Procedures Committee.

**PUBLIC SERVICE COMMISSION**

DOCKET NO. 020398-EQ

RULE NO.:	RULE TITLE:
25-22.082	Selection of Generating Capacity

NOTICE OF CORRECTION

Notice is hereby given that the following corrected changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 17, April 25, 2003, issue of the Florida Administrative Weekly, which erroneously omitted the strikeouts from the following subsection:

~~(5)(f) All criteria, including weighting and ranking factors that will be applied to select the finalists. Such criteria may include price and non-price considerations, but no criterion shall be employed that is not expressly identified in the RFP absent a showing of good cause;~~

**DEPARTMENT OF CORRECTIONS**

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 14, (April 4, 2003), issue of the Florida Administrative Weekly:

33-203.201 Inmate Trust Fund.

(1) No change.

(2)(a) All monies (cashiers checks, money orders, or certified bank drafts only; no cash or personal checks allowed) that are mailed to the Bureau of Finance and Accounting, Inmate Trust Fund Section, for an inmate shall be initially deposited in the Inmate Trust Fund. Funds must be mailed with the completed deposit form and made payable to the Inmate Trust Fund and include the inmate's name and DC number. Once the deposit is posted to the inmate's account, a receipt will be printed at the institution and provided to the inmate. Funds will become available for the inmate's use within ten working days after receipt by the Bureau of Finance and Accounting, Inmate Trust Fund Section, in Tallahassee. Every effort shall be made to have funds available sooner. Any money order, cashiers check, or certified bank draft in the amount of \$300 or higher posted to an inmate's account will have a ten day hold placed on the funds. After ten days the funds will be available for the inmate's use. ~~If the funds were not deposited to the inmate's account due to the fact that the money order, cashier's check or certified bank draft was lost in the mail system and it is determined that the instruments were never cashed, it is the responsibility of the sender to stop payment on the instrument. The Department is not responsible for any stop payment fees charged to the sender.~~ Deposits mailed to institutional or other department addresses other than the Bureau of Finance and Accounting, Inmate Trust Fund Section will be returned to the sender. In order to deposit the funds the sender shall complete Form DC2-303, Inmate Trust Fund Deposit Form. Form DC2-303 is hereby incorporated by reference. This form may be obtained from any institution, facility, or by requesting in writing from the Bureau of Finance and Accounting, Inmate Trust Fund Section, Centerville Station, P. O. Box 12100, Tallahassee, Florida 32317-2100, or the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_. Other items found in the incoming mail will be returned to the sender and will not be forwarded to the inmate. ~~The sender can also transmit funds up to \$5,000.00 using Western Union's "Quick Collect" service. To utilize this process, the sender, if residing in the U.S. or Canada, must complete a quick collect form at a Western Union agent, include the required information, and pay the transaction fee. The sender can also transmit funds via Western Union using a credit card, by telephone, or by visiting their website at www.westernunion.com. In addition, senders who reside in a foreign country can send funds using Western Union's "Quick Pay" service. The sender must complete a Quick Pay/Payment Services form at a Western Union agent and pay a transaction fee. Additional information is available on their website at www.payment-solutions.com. The funds will be sent via electronic funds transfer (EFT) and will usually be available for the inmate's use within one to three working days.~~

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

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

~~(c)(d)~~ No change.

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

(3) through (12) No change.

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER NO.: 40D-22  
 RULE CHAPTER TITLE: Year-Round Water Conservation Measures

**NOTICE OF CONTINUATION OF PUBLIC HEARING**

The Southwest Florida Water Management District hereby gives notice in accordance with subparagraph 120.54(3)(c), F.S., that the public hearing held on March 25, 2003 regarding the Notice of Proposed Rulemaking for Rule 40D-22, F.A.C., to update the Year-Round Water Conservation Measures published in Vol. 28, No. 47, Pages 5207 through 5211 on November 22, 2002 of the Florida Administrative Weekly is continued to its May Governing Board meeting. The District's monthly Governing Board meeting will be held on May 27, 2003 in the Boardroom of the Southwest Florida Water Management District's Brooksville Office at 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211.

A copy of the agenda may be obtained by writing: the Southwest Florida Water Management, 2379 Broad Street, Brooksville, Florida 34604-6899.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disability Act should contact: Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax (352)754-6878, Suncom 663-6878.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE NO.:	RULE TITLE:
61G1-23.010	Responsible Supervising Control Over Architectural Practice in the Architect's Office

**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. 21, of the May 24, 2002, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board, at its meeting held on February 5, 2003, voted to make changes to the rule to address the JAPC concerns. The changes are as follows:

1. In the proposed subsection (1)(a), the word "or" shall be stricken from the end of that subsection.

2. The proposed subsection (2) shall be reworded to read: "The architect providing responsible supervisory control must be a full time employee within that office location in responsible control for projects in that office. Therefore an architect can only provide responsible supervisory control over one location."

3. The last sentence of proposed subsection (3) shall read: "Every office offering architecture services must have a resident full time architect meeting the requirements of this rule."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Funeral Directors and Embalmers**

RULE NO.:	RULE TITLE:
61G8-16.004	Examination for Licensure by Endorsement for Funeral Directors

**NOTICE OF CHANGE**

Notice is hereby gives notice that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 9, February 28, 2003, issue of the Florida Administrative Weekly. The changes are in response to comments from the Board meeting held on November 21, 2002.

The changes are as follows:

1. The phrase "appropriate national examinations and pass" shall be replaced with the phrase "examination(s) appropriate to the licensure sought, as set forth in Section 470.007 or 470.011, F.S., and shall pass."

2. The Law Implemented Section shall add a citation to Section 470.007, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

**DEPARTMENT OF PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.:	RULE TITLE:
61H1-33.007	Reactivation of Inactive Licenses

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 10, of the March 7, 2003, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board, at its meeting on April 30, 2003, in Tallahassee, Florida, voted to repeal the rule in its entirety to address the concerns of JAPC.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:	RULE TITLE:
64B8-9.014	Standards for Telemedicine Prescribing Practice

**NOTICE OF PUBLIC HEARING**

The Board of Medicine hereby gives notice that a public hearing on the above-referenced rule will be held in response to a request for a hearing following publication of the notice in Vol. 29, No. 8, of the February 21, 2003, Florida Administrative Weekly (FAW). The Rules Committee will hold a hearing on this rule on June 5, 2003, at 2:00 p.m., or as soon thereafter as can be heard, at the Embassy Suites, 3974 N. W. South River Drive, Miami, Florida 33142.

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:	RULE TITLE:
64B8-55.002	Citations

**NOTICE OF CORRECTION**

Notice is hereby given that changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., to be published in Vol. 29, No. 19, of the May 9, 2003, issue of the Florida Administrative Weekly.

The changes shall be as follows:

Section (m) Violation should read: "Failure to comply with continuing education.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Electrolysis Council, Board of Medicine, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-11.004	Food Protection
64E-11.006	Food Equipment and Utensils
64E-11.007	Sanitary Facilities and Controls

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made in the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 13, March 28, 2003, of the Florida Administrative Weekly:

The changes were made in response to comments received from the Joint Administrative Procedures Committee.

Subsection 64E-11.002(7), F.A.C., is changed to correct the spelling of the term and will read, "Comminuted".

Paragraph 64E-11.004(14)(b), F.A.C., has been changed to read, "Except as specified in paragraph (d) of this subsection, 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."

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

Subparagraph 64E-11.004(14)(c)2., F.A.C., has been changed to read, "The container must be clearly marked to indicate that the food shall be consumed within 24 hours of thawing and shall be exempted from paragraphs (15)(a) and (b) of this subsection; or

Paragraph 64E-11.004(14)(d), F.A.C., has been changed to read, "Paragraphs (b) and (c) of this section do not apply to:

Paragraph 64E-11.004(15)(b), F.A.C., has been changed to read, "An ingredient or a container of refrigerated, ready-to-eat, potentially hazardous food specified in paragraph 64E-11.004(14)(b), F.A.C., shall be discarded if not sold or served within 7 calendar days, excluding the time that the product is frozen, after the original package is opened or by the

manufacturer's "sell by" or "use by" date, whichever occurs first, if the manufacturer determined the date based on food safety.

Paragraph 64E-11.004(15)(c), F.A.C., has been renumbered as Paragraph 64E-11.004(15)(d), F.A.C.

Paragraph 64E-11.004(15)(d), F.A.C., has been renumbered as Paragraph 64E-11.004(15)(e), F.A.C.

Paragraph 64E-11.004(15)(c), F.A.C., has been created to read, "Ready to eat, potentially hazardous food specified in subparagraph 64E-11.004(14)(c)2., F.A.C., shall be discarded if not consumed within 24 hours after thawing.

Subsection 64E-11.006(1), F.A.C., has been changed to read, "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 (Standard 2, July 1, 2002; Standard 3, July 1, 2001; Standard 4, April 26, 2002; Standard 6, December 6, 2002; Standard 7, April 1, 2001; Standard 8, December 26, 2002; Standard 12, November 1, 1992; Standard 13, August 1, 2001; Standard 18, August 29, 1996; Standard 20, July 1, 2000; Standard 25, December 26, 2002; Standard 29, November 1, 1990; Standard 36, January 1, 2002; Standard 37, April 26, 2002; Standard 51, June 14, 2002; and Standard 59, December 26, 2002) by an ANSI accredited program, will be deemed to comply with this section." The following equipment and facilities shall be provided where applicable to the operations conducted:

Subsection 64E-11.007(5), F.A.C., has been changed to read, "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 individual single use sanitary towels or a heated-air 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."

**Section IV  
Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 481, DOUBLE DOWN  
 RULE NO.: 53ER03-24  
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 481, "DOUBLE DOWN," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule

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

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-24 Instant Game Number 481, DOUBLE DOWN.

(1) Name of Game. Instant Game Number 481, "DOUBLE DOWN."

(2) Price. DOUBLE DOWN lottery tickets sell for \$2.00 per ticket.

(3) DOUBLE DOWN 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 DOUBLE DOWN 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 DOUBLE DOWN lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) There are three games and one bonus box on each DOUBLE DOWN lottery ticket.

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

INSERT SYMBOLS

(6) The legend in Game 1 is as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

(8) The legend in Game 2 is as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

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

INSERT SYMBOLS

(11) The play symbols and play symbol captions in the Bonus Box are as follows:

INSERT SYMBOLS

(12) The legend in the Bonus Box is as follows:

INSERT SYMBOLS

(13) Determination of Prize Winners. Players may win more than once on a ticket.

(a) The play methodology is the same for each of the three games and is as follows:

1. A ticket having three like amounts in the play area of one game shall entitle the claimant to a prize of that amount. A

ticket having two like amounts and a " **DOUBLE** " symbol in the play area of one game shall entitle the claimant to a prize of double that amount.

a. The prize amounts in Game 1 are \$2.00, \$4.00, \$5.00, \$10.00, \$100, and \$20,000.

b. The prize amounts in Game 2 are \$2.00, \$5.00, \$10.00, \$100, and \$20,000.

c. The prize amounts in Game 3 are \$2.00, \$5.00, \$20.00, \$50.00, and \$20,000.

2. A ticket having three "TICKET" symbols in the play area of one game shall entitle the claimant to a prize of a \$2.00 instant ticket, or any combination of on-line and instant tickets that totals \$2.00, except as follows. A person who submits by mail a DOUBLE DOWN lottery ticket that 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.

(b) The play methodology for the bonus box is as follows:

A ticket having two like amounts in the "BONUS BOX" play area shall entitle the claimant to a prize of that amount. The prize amounts are \$2.00, \$5.00, \$50.00, and \$100.

(14) The estimated odds of winning, value, and number of prizes in Instant Game Number 481 are as follows:

GAME PLAY	WIN \$2 TICKET	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
G1, G2, G3: FREE TICKET	\$2	18.75	403,200
G3: \$2	\$4	15.00	504,000
G2: \$2 (DOUBLE)	\$4	50.00	151,200
G1: \$4	\$5	50.00	151,200
G3: \$5	-3	25.00	302,400
G1: \$2 (DOUBLE) G2: \$2 + BONUS BOX: \$2	\$8	150.00	50,400
G3: \$5 (DOUBLE)	\$10	75.00	100,800
G2: \$5 + G3: \$5	\$10	75.00	100,800
G1: \$5 + G2: \$5 + G3: \$5	\$15	300.00	25,200
G1: \$10 + G2: \$5	\$15	300.00	25,200
G1: \$5 + G2: \$5 + G3: \$5 + BONUS BOX: \$5	\$20	600.00	12,600
G1: \$5 + G3: \$5 (DOUBLE) + BONUS BOX: \$5	\$20	300.00	25,200
G3: \$20	\$20	300.00	25,200
G2: \$10 + G3: \$20 (DOUBLE)	\$50	553.85	13,650
BONUS BOX: \$50	\$50	600.00	12,600
G1: \$100 + G2: \$100 (DOUBLE) + G3: \$50 (DOUBLE) + BONUS BOX: \$100	\$500	70,000.00	108
G1, G2, G3: \$20,000	\$20,000	2,520,000.00	3

(15) The estimated overall odds of winning some prize in Instant Game Number 481 are 1 in 3.97. Some prizes, including the top prizes, may be sold out at time of ticket purchase.

(16) For reorders of Instant Game Number 481, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

(18) Payment of prizes for DOUBLE DOWN 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 5-5-03.

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

EFFECTIVE DATE: May 5, 2003

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 482, FIRECRACKER CASH

RULE NO.: 53ER03-25

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 482, “FIRECRACKER CASH,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department.

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

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-25 Instant Game Number 482, FIRECRACKER CASH.

(1) Name of Game. Instant Game Number 482, “FIRECRACKER CASH.”

(2) Price. FIRECRACKER CASH lottery tickets sell for \$1.00 per ticket.

(3) FIRECRACKER CASH 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 FIRECRACKER CASH 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 FIRECRACKER CASH 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) Determination of Prize Winners.

A ticket having three like amounts in the play area shall entitle the claimant to a prize of that amount. The prizes amounts are: \$1.00, \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$100, \$500 and \$2,000. A ticket having three “TICKET” symbols in the play area shall entitle the claimant to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a FIRECRACKER CASH lottery ticket that 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.

(6) The estimated odds of winning, value, and number of prizes in Instant Game Number 482 are as follows:

GAME PLAY TICKET	WIN \$1 TICKET	ODDS OF 1 IN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS PER POOL
\$1	\$1	8.82	1,142,400
\$2	\$2	30.00	336,000
\$5	\$5	75.00	134,400
\$10	\$10	150.00	67,200
\$15	\$15	300.00	33,600
\$20	\$20	300.00	33,600
\$25	\$25	409.09	24,640
\$50	\$50	1,800.00	5,600
\$100	\$100	87,652.17	115
\$500	\$500	403,200.00	25
\$2,000	\$2,000	2,520,000.00	4

(7) The estimated overall odds of winning some prize in Instant Game Number 482 are 1 in 3.62. Some prizes, including the top prizes, may be sold out at time of ticket purchase.

(8) For reorders of Instant Game Number 482, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(9) By purchasing a FIRECRACKER CASH lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(10) Payment of prizes for FIRECRACKER CASH 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 5-5-03.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.  
EFFECTIVE DATE: May 5, 2003

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

### WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District hereby gives notice that it received a petition for variance on April 23, 2003 from Warren T. Michael, Jr. Pursuant to Section 373.414(17), Florida Statutes, Mr. Michael is seeking a variance from paragraph 40C-4.302(1)(c), F.A.C., and Section 12.2.5(c) of the Applicant's Handbook: Management and Storage of Surface Waters, with respect to Environmental Resource

Permit Application 4-109-56595-2 to construct a floating dock adjacent to an existing dock in St. Johns County at the Barrier Island Bed and Breakfast. The construction would occur directly in the Matanzas River, which is categorized as Class II waters that are classified by the Department of Agricultural and Consumer Services as conditionally restricted for shellfish harvesting.

Comments on this petition should be filed with Sandy Bertram, District Clerk, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2003-54.

For a copy of the petition or additional information, contact: Tara Boonstra, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4448.

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection acknowledges receipt of a petition for a 120.542 variance from Rule 62B-33, F.A.C., submitted by Petitioner Robert Bullard on behalf of Arlette Schutte.

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 entitled "Official Notices."

If you have additional questions please contact: Mark S. Miller, (850)487-4475, Ext.193.

The Department of Environmental Protection has taken action on a petition for variance received from JEA, on November 5, 2002. Notice of receipt of this petition was published in the Florida Administrative Weekly, on December 13, 2002. The petition requested a variance from under Rule 62-550.320, F.A.C., of the Florida Administrative Code for the requirement to comply with a secondary maximum contaminant level (SMCL) for sulfate of 250 mg/l for an alternative SMCL for sulfate of 500 mg/l. On April 17, 2003, the Department granted a variance to JEA in a final order, File No.: 02-1952.

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

For a copy of the final order write or call: Ed Cordova, Department of Environmental Protection, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256, (904)807-3305.

### DEPARTMENT OF HEALTH

The Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling hereby gives notice that it has issued an Order on the Petition for Waiver filed by



George B. Allison, ACSW. The Notice of Petition for Waiver was published in Vol. 29, No. 8, of the February 21, 2003, Florida Administrative Weekly.

The Board considered the Petition at its meeting held on April 25, 2003, in Jacksonville, Florida. The Board's Order, filed on May 2, 2003, denies the petition for waiver finding that the underlying purpose of the statute, as implemented by Rules 64B4-2.0025 and 64B4-11.007, F.A.C., has not been met and that the Petitioner has not demonstrated a substantial hardship. A copy of the Board's Order may be obtained by contacting: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3758.

The Board of Medicine hereby gives notice that it has received a petition filed on April 23, 2003, by Iftikhar Rasul, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

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

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

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by John S. Bruno, M.D. The Notice of Petition for Waiver was published in Vol. 28, No. 36, of the August 26, 2002, Florida Administrative Weekly. The Surgical Care Committee considered the Petition at its meeting held on March 28, 2003. The Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for permanent waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-9.009, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Aloma P. Sevilla, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that

the underlying purpose of the statute, as implemented by Rule 64B8-2.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Erick Andreu, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Isaac S. Vergara, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Omaima Mousa, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Lazaro L. Delgado, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Pierre A. Dorsainvil, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Marwan Weheba, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 3, of the January 17, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Jorge Melgen, M.D. The Notice of Petition for Waiver was published in Volume 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Ata Moshin, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 29, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

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The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Carlos A. Sanchez, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Lazaro R. Martinez, M.D. The Notice of Petition for Waiver was published in Vol, 29, No. 10, of the March 7, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on March 15, 2003, and the Board considered the Committee's recommendation at its meeting held on April 4, 2003, in West Palm Beach, Florida. The Board's Order, filed on April 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

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

DATE AND TIME: Tuesday, June 2, 2003, 8:30 a.m.

PLACE: Grand Hotel, 200 East Gregory Street, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Florida Historical Commission and receive public input.

A copy of the agenda may be obtained by writing: Mr. Robert Taylor, Historic Preservationist Supervisor, of Historic Preservation, Department of State, R. A. Gray Building, 500 South Bronough, Tallahassee, Florida 32399-0250 or calling (850)245-6333.

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

Pursuant to Chapter 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Bureau of Historic Preservation by telephone at (850)245-6333, or by FAX at (850)245-6437.

The **Department of State, Division of Cultural Affairs**, Florida Arts Council announces public meetings to which all persons are invited:

DATES AND TIMES: Sunday, June 1, 2003, 1:00 p.m. – Conclusion (Committee); Monday, June 2, 2003, 8:30 a.m. – Conclusion (Committees); Tuesday, June 3, 2003, 9:00 a.m. – Conclusion (Full Council)

PLACE: Westin Grand Bohemian, 325 South Orange Avenue, Orlando, Florida (June 1); Orlando City Hall, 400 South Orange Avenue, Orlando, Florida (June 2-3)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and general session meetings of the Council.

A copy of the agenda may be accessed at the Division of Cultural Affairs' website [www.Florida-Arts.org](http://www.Florida-Arts.org) or by contacting: Dianne Alborn, Executive Assistant, 1001 DeSoto Park Drive, Tallahassee, Florida 32301, (850)245-6470 or by email at [dalborn@dos.state.fl.us](mailto:dalborn@dos.state.fl.us).

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record these meetings.

Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 28th day of May 2003, if you need an accommodation. Please contact: Valerie Ohlsson, ADA Coordinator, Division of Cultural Affairs, (850)245-6470, fax (850)245-6492 or email: [vohlsson@dos.state.fl.us](mailto:vohlsson@dos.state.fl.us).

#### DEPARTMENT OF LEGAL AFFAIRS

The LCSW Task Force Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited to participate.

DATE AND TIME: Wednesday, May 28, 2003, 3:00 p.m.

PLACE: Call (850)414-3300 for information on participation

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

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

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Pesticide Review Council to which all person are invited.

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

PLACE: Florida Department of Agriculture and Consumer Services, Division of Plant Industry Auditorium, 1911 Southwest 34th Street, Gainesville, Florida 32608-1201

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Council during which there will be a review of pertinent pesticide issues impacting on human health and environment.

Copy of agenda may be obtained by contacting: Bureau of Pesticide, 3125 Conner Boulevard, Mail Station L-29, Tallahassee, Florida 32399-1650. Please contact Ms. Donna C. Hartsfield, (850)487-0532, if you have any questions.

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#### DEPARTMENT OF EDUCATION

The State of Florida, **Education Standards Commission**, announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, June 5, 2003, 8:30 a.m. – 5:00 p.m.; Friday, June 6, 2003, 8:30 a.m. – 12:00 p.m.

PLACE: University of Central Florida, UCF Teaching Academy, 4th Floor Conference Room, Building 93, Orlando, Florida 32816, (407)823-5529

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the Florida Education Standards Commission will meet and discuss issues related to the Commission's charge.

To obtain a copy of the agenda, please call or write: Florida Education Standards Commission, 325 West Gaines Street, Room 348, Turlington Building, Tallahassee, Florida 32399, (850)488-1523 or Suncom 278-1523.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Dr. Adeniji Odutola at the above address or telephone numbers.

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The Florida **Department of Education**, State Advisory Committee for the Education of Exceptional Students, announces a public meeting to which all interested persons are invited.

DATES AND TIMES: Tuesday, May 20, 2003, 8:30 a.m. – 5:00 p.m.; Wednesday, May 21, 2003, 8:30 a.m. – 3:00 p.m. (Meeting times may be adjusted at the discretion of the Committee)

PLACE: Radisson Hotel, 415 North Monroe Street, Tallahassee, Florida, (850)224-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Exceptional student education update and scheduled meeting of the State Advisory Committee, which is required under the Individuals with Disabilities Education Act (20 U.S.C. Chapter 33, as amended by Pub. L. 105-17) for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.

A copy of the agenda may be obtained by writing: State Advisory Committee, Bureau of Instructional Support and Community Services, Florida Department of Education, Room 614, Turlington Building, Tallahassee, Florida 32399-0400 or by calling the Bureau, (850)488-1570 or Suncom 278-1570.

Any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours in advance by calling the number indicated above.

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The Florida **Rehabilitation Council for the Blind** announces a teleconference as follows:

DATE AND TIME: June 2, 2003, 8:30 a.m. – 12:30 p.m. (EST)

PLACE: The toll-free number may be obtained by contacting: Phyllis Dill, The Division of Blind Services, 7201 N. 9th Avenue, Suite A-11, Pensacola, FL 32504 or (850)484-5030 or through the Florida Telephone Relay system 711

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of this Fiscal Year's Attachments to the State Plan for the Division of Blind Services and approval of this year's Client Satisfaction Survey.

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The State of Florida, **Education Practices Commission** announces an Administrator Hearing Panel and two Teacher Hearing Panels to which all persons are invited.

Teacher Hearing Panel followed by Administrator Panel

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

Teacher Hearing Panel

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

PLACE: The Embassy Suites Tampa Airport/Westshore, 555 North Westshore Drive, Tampa, FL 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Administrator and Teacher Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

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

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)488-0547, at least five calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

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The Florida **Center for Advising and Academic Support** (FCAAS) announces a public meeting to which all persons are invited.

DATE AND TIME: May 29, 2003, 10:00 a.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the FCAAS Board will be held to discuss ongoing development and administration of the FACTS.org project.

A copy of the agenda may be obtained by writing: FCAAS, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact Yvette Hargreaves, FCAAS, (850)201-7363, at least seven days in advance so that their needs can be accommodated.

The **State University Presidents Association** announces telephone conference meetings to which all persons are invited. The calls will be on an as needed basis. Please call in for verification that the State University Presidents Association is meeting.

DATES AND TIME: May 16 and 23, 2003, 9:00 a.m. – 11:00 a.m.

PLACE: Telephone Numbers (850)921-2560, 291-2560 (Suncom)

GENERAL SUBJECT MATTER TO BE CONSIDERED: State University System issues.

Contact Person: Sandra Cherepow, (407)823-2482.

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

MEETING: New Member Orientation/Florida Rehabilitation Council

DATES AND TIME: May 13-14, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Headquarters, Tallahassee, Florida 32301

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

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)488-3431.

Any interested parties that need further information may contact: Yolanda Manning, Extension 128.

COMMITTEE MEETINGS: Please note that committees of the Florida Rehabilitative Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meeting may request to be put on mailing list for such notices by writing to Yolanda Manning at the Council's address. Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice,

they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

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

MEETING: Planning Committee Workgroup/Florida Rehabilitation Council

DATES AND TIME: June 2-3, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Headquarters, Tallahassee, Florida 32301

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

A copy of the agenda may be obtained by contacting: Florida Rehabilitative Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)488-3431.

Any interested parties that need further information may contact Yolanda Manning, Extension 128.

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

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#### DEPARTMENT OF LAW ENFORCEMENT

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

DATE AND TIME: June 17, 2003, 1:00 p.m. – Open

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

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

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

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

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#### DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 6 announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2003, 10:00 a.m.

PLACE: Florida Department of Transportation, District 6, Rear Auditorium, 1000 N. W. 111th Avenue, Miami, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Miami Intermodal Center ("MIC") Program Technical Review Committee will meet to determine and recommend the feasible proposals submitted in response to the Florida Department of Transportation's Request for Proposals for Joint Development for the MIC Program. Some of the Technical Review Committee Members may participate in the meeting by teleconference.

Interested persons may obtain an agenda for this meeting by visiting the MIC website at [www.micdot.com](http://www.micdot.com) or by contacting: Nick Serianni, 200 West College Avenue, Suite 130, Tallahassee, Florida 32301, (850)224-7777. This agenda will be posted on the MIC website at least 7 days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the Florida Department of Transportation at least 48 hours before the meeting by contacting Steven Thompson, (305)716-5214.

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The Florida **Department of Transportation**, District 6 announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2003, 3:00 p.m.

PLACE: Florida Department Transportation, District Six, Rear Auditorium, 1000 N. W. 111th Avenue, Miami, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Miami Intermodal Center ("MIC") Program Selection Committee will meet to determine the feasible proposals submitted in response to the Florida Department of Transportation's Request for Proposals for Joint Development for the MIC Program.

Interested persons may obtain an agenda for this meeting by visiting the MIC website at [www.micdot.com](http://www.micdot.com) or by contacting: Nick Serianni, 200 West College Avenue, Suite 130, Tallahassee, Florida 32301, (850)224-7777. This agenda will be posted on the MIC website at least 7 days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the Florida Department of Transportation at least 48 hours before the meeting by contacting Steven Thompson, (305)716-5214.

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

DATE AND TIME: Thursday, June 12, 2003, 7:00 p.m.

PLACE: Celebration Family Church, 12400 Plantation Road, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To afford interested persons the opportunity to express their views concerning a proposed design change to SR 739 (Metro Parkway) from Six Mile Cypress Parkway to Daniels Parkway in Lee County, Florida, a distance of 1.3 miles. Financial Project ID Number 408040-1-32-01.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act (ADA) of 1990 should contact Ms. Sarah Clarke at (239)461-4303. Special accommodation requests under the ADA should be made at least seven days prior to the public hearing.

A copy of the hearing agenda may be obtained by writing to: Dick Combs, District Planning and Environmental Manager, Florida Department of Transportation, District 1, Post Office Box 1249, Bartow, Florida 33831.

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The **Florida Transportation Commission** announces a public meeting to which all persons are invited:

DATE AND TIME: June 13, 2003, 8:00 a.m. – 5:00 p.m.

PLACE: City Hall of Ft. Lauderdale, 100 North Andrews Avenue, First Floor City Commission Chambers, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, MS 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 **Seaport Transportation and Economic Development Council** announces a meeting in which all interested persons are invited to participate.

DATE AND TIME: May 23, 2003, 1:00 p.m. – 3:00 p.m.

PLACE: Teleconference, (850)410-0961

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301, (850)222-8028.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

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#### DEPARTMENT OF CITRUS

The **Department of Citrus** announces an emergency meeting via telephone conference of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Monday, May 12, 2003, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to announce a closed session regarding expenditures related to Graves Brothers, et. al. vs. Florida Department of Citrus litigation. Please note members of the Florida Citrus Commission will attend by telephone.

To assure the public has access to this meeting, the Florida Department of Citrus will have a speaker phone available at the Department of Citrus. Additionally, if there is a member of the public that cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may make arrangements to do so by contacting the Office of the General Counsel, (863)499-2530.

The parties attending the closed session will be John R. Alexander, Walter L. Brewer, Harry H. Falk, Christopher W. Gargano, Raymond A. Jackson, William E. Kemper, Anina C. McSweeney, W. Lindsay Raley, Jr., Daniel R. Richey, Ray Smith, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq., Monterey Campbell, Esq., and Kenneth O. Keck, Esq.

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NOTICE OF CANCELLATION – The **Department of Citrus** announces the cancellation of the following public meeting of the Citrus Abscission Registration Council.

DATE AND TIME: Tuesday, May 13, 2003, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee was meeting to discuss the progress on the fruit abscission project and final recommendation of programs and budgets for 2003-04 fiscal year and other business that might come before the council for consideration.

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NOTICE OF CANCELLATION – The **Department of Citrus** announces the cancellation of the following public meeting of the Citrus Harvesting Research Advisory Council.

DATE AND TIME: Tuesday, May 13, 2003, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee was meeting to hear status reports of 2002-2003 projects and final proposed programs and budgets for the 2003-2004 season and other business that might come before the council for consideration.

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

DATES AND TIMES: Tuesday, May 27, 2003, 1:30 p.m.; Wednesday, May 28, 2003, 9:00 a.m.

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

The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the Florida Citrus Commission. (It is anticipated that the regular monthly meeting will convene no sooner than 9:00 a.m., May 28, 2003)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balance scorecards, licensing, rulemaking, and other matters that are addressed during monthly meetings of the Commission. The Commission may also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Tampa Juice, et. al. & Graves Brothers, et. al. vs. FDOC and The Lakeland Ledger Publishing Company, Publisher of The Ledger vs. FDOC. The parties attending the closed session will be John R. Alexander, Walter L. Brewer, Tristan G. Chapman, Harry H. Falk, Christopher W. Gargano, Raymond A. Jackson, William E. Kemper, Anina C. McSweeney, W. Lindsay Raley, Jr., Daniel R. Richey, Ray Smith, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq., Monterey Campbell, Esq., Eric Taylor, Esq. and Kenneth O. Keck, Esq.

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

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**PUBLIC SERVICE COMMISSION**

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

Docket No. 010492-WS – Application for rate increase in Orange County by Zellwood Station Co-Op, Inc.

DATE AND TIME: June 2, 2003, 1:30 p.m.

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

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

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

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

DATE AND TIME: June 3, 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 the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

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

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

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

DATE AND TIME: June 3, 2003, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

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

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

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

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting.

Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8771 (VOICE).

**\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\***

**EXECUTIVE OFFICE OF THE GOVERNOR**

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

DATE AND TIMES: Tuesday, May 20, 2003, 12:00 p.m. – Committee on Talent Deregulation; 1:00 p.m. – Quarterly Meeting

PLACE: Tampa International Airport Marriott, Sarasota Room, Tampa, FL 33607

PURPOSE: To discuss committee tasks and related general administrative matters of the Advisory Council.



A copy of the agenda may be obtained by writing: Leigh Ann McRight, Administrative Assistant, The Governor's Office of Film and Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)410-4765.

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

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

**REGIONAL PLANNING COUNCILS**

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

DATE AND TIME: Wednesday, May 28, 2003, 10:00 a.m.

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

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

A copy of the Ad Hoc Committee Charge agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** Personnel, Program Planning and Budget Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 5, 2003, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, program planning, and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited:

DATE AND TIME: Thursday, June 5, 2003 – 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** Transportation Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 5, 2003, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending transportation issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, June 5, 2003, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

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

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Peggy Conrad at (904)279-0880, extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

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

DATE AND TIMES: Wednesday, May 21, 2002, 9:00 a.m. – Finance Committee; 9:30 a.m. – Executive Committee  
PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Executive and Finance Committees.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751

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

DATE AND TIME: Wednesday, May 21, 2003, 10:00 a.m.  
PLACE: 631 North Wymore Road, Suite 100, Maitland, FL 32751 (Please call (407)623-1075, Ext. 327, to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the full agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751

The **Tampa Bay Local Emergency Planning Committee**, (LEPC) District VIII announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 28, 2003, 10:30 a.m.  
PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., #219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District VIII LEPC and discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA).

A copy of the agenda may be obtained by contacting: Bill Lofgren, LEPC Coordinator, Tampa Bay Regional Planning Council, 9455 Koger Blvd, Suite 219, St. Petersburg, FL 33702, (727)570-5151, Ext 248.

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

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact the Tampa Bay Regional Planning Council, (727)570-5151, Ext. 217 within three working days of the meeting.

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

DATE AND TIME: Monday, June 2, 2003, 10:30 a.m.  
PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendments for North Miami Beach; Miramar and Miami-Dade County; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

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

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

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

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

#### WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** (SWFWMD) announces the following meeting(s) to which all interested parties are invited to attend:

NATIONAL ESTUARY PROGRAM WORKSHOP  
DATE AND TIME: Thursday, May 22, 2003, 9:30 a.m.  
PLACE: SWFWMD, Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Discuss goals and accomplishments of the three National Estuary Program programs within District boundaries.

PEACE RIVER BASIN BOARD MEETING/WORKSHOP

DATE AND TIME: Friday, May 23, 2003, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Consideration of Basin business and review of Cooperative Funding proposals and associated budgetary implications.

GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, May 27, 2003, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Conduct of Committee meeting and public hearing

GOVERNING BOARD FINANCE AND ADMINISTRATION BUDGET WORKSHOP

TIME AND PLACE: Wednesday, May 28, 2003, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Consideration of draft FY2004 budget.

GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday, other than the budget workshop.)

DATE AND TIME: Wednesday, May 28, 2003, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Conduct of meeting and public hearing

These are public meetings and agendas are available by writing to the 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 a public meeting:

DATE AND TIME: Tuesday, May 27, 2003, 9:00 a.m.

PLACE: Southwest Florida Water Management District, District Headquarters, Board Room, 2379 Broad Street, Brooksville, Florida 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public hearing on rule amendments to Chapters 40D-2, and 40D-8, F.A.C. for Category 3 lake levels is continued to the Governing Board meeting on May 27, 2003.

A copy of the Governing Board agenda may be obtained by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899 or by calling the Southwest Florida Water Management District, (352)796-7211 or 1(800)231-6103, Suncom 628-4150, TDD ONLY 1(800)231-6103.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Pursuant to the provisions of the American 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: Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax (352)754-6878, Suncom 663-6878.

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

DATE AND TIME: Tuesday, June 3, 2003, 10:00 a.m. – 3:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Everglades Technical Oversight Committee (TOC) Meeting.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

Persons with disabilities who need assistance may contact the Deputy District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Dr. Garth Redfield, Environmental Monitoring and Assessment Department, (561)682-6611, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406.

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

DATE AND TIME: June 5, 2003, 8:30 a.m.

PLACE: Radisson Suites, 2900 Parkway Boulevard, Kissimmee, FL 34747

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Water Resources Advisory Commission Meeting.

TENTATIVE MEETING DATES FOR JUNE

If Water Resources Advisory Commission decides to hold additional meetings and/or Issue Workshops, the following dates are being scheduled and noticed. If you're planning to attend any of the followings meetings please call the staff identified in this notice to ensure that a meeting has not been cancelled:

DATES AND TIMES: Monday, June 9, 2003, 9:30 a.m.; Monday, June 16, 2003, 9:30 a.m.; Thursday, June 19, 2003, 8:30 a.m.; Monday, June 23, 2003, 9:30 a.m.; Monday, June 30, 2003, 9:30 a.m.

PLACE: These meetings are scheduled to be held in the SFWMD Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

A copy of the agenda(s) 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 Water Resources Advisory Commission (WRAC) meetings and workshops 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, District Deputy Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who need more information, please contact: Julio Fanjul, (561)682-2769 or Paula Moree, (561)682-6447, District Clerk's Office, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

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#### DEPARTMENT OF ELDER AFFAIRS

Quarterly Meeting of **SPGO Public Guardianship Coalition**, will be held:

DATE AND TIME: Thursday, May 22, 2003, 10:00 a.m. – 4:00 p.m.

PLACE: Statewide Public Guardianship Office, MHF 100, Florida Mental Health Institute, USF, 13301 Bruce B. Downs Blvd., Tampa, FL

Contact: Gloria Mitchell, (813)974-9015

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The Florida **Agency for Health Care Administration** announces a notice of public meeting regarding the MediPass Pilot Projects/Pediatric/Adult ER Diversion Projects initiative in Areas 5 (Pasco, Pinellas) and 6 (Hardee, Highlands, Hillsborough, Manatee, Polk) to which all persons are invited:

DATE AND TIME: May 29, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Florida Agency for Health Care Administration, Conference Room A, 2727 Mahan Drive, Building #3, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: MediPass Pilot Projects/Pediatric/Adult ER Diversion Projects in Areas 5 (Pasco, Pinellas) and 6 (Hardee, Highlands, Hillsborough, Manatee, Polk). The projects will provide for alternative managed care arrangements under the Florida Medicaid primary care case management system, which is known as the MediPass program. The Agency intends to contract with group medical practices, independent practice associations (IPAs), physician practice management groups (PPMGs), or other comparable entities for the implementation of primary care case management projects and pediatric and adult emergency department diversion projects in Areas 5 and 6. MediPass Pilot Projects/Pediatric/Adult ER Diversion Projects must have the capabilities for providing for and managing patient care to ensure adequate access to primary care, reduce inappropriate utilization, control program costs, and improve health outcomes. The project must consist of a primary care provider (PCP) network of MediPass providers with a current MediPass enrollment of at least 1,700 and a capacity of 15,000 enrollees in each proposed service area in order to qualify for participation in the proposed project/service area. Provider/organization applications will be distributed at the meeting. The application process will be discussed at that time.

If special accommodations are needed to attend this meeting because of a disability, please call Darlene McDonald, Agency for Health Care Administration, (850)413-7634, as soon as possible.

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#### DEPARTMENT OF MANAGEMENT SERVICES

The State of Florida, **State Technology Office** announces a Chief Information Officer (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, May 19, 2003, 10:00 a.m. – 12:00 p.m.

PLACE: Conference Room 124, Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Elaine Womble, (850)922-2680, e-mail: Elaine.womble@myflorida.com.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting:

DATE AND TIMES: May 27, 2003, beginning at approximately 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, or by phone at (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

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The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, July 9, 2003, 2:00 p.m.; Thursday, July 10, 2003, 8:00 a.m.; Friday, July 11, 2003, 8:00 a.m.

PLACE: The Ritz-Carlton, 1111 Ritz-Carlton Drive, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing to the Construction Industry Licensing Board, 1940 N. Monroe Avenue, Tallahassee, Florida 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant at (850)922-2701 at least seven calendar days

prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) 1(800)955-8770 (Voice).

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The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, August 13, 2003, 2:00 p.m.; Thursday, August 14, 2003, 8:00 a.m. and Friday, August 15, 2003, 8:00 a.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing to the Construction Industry Licensing Board, 1940 N. Monroe Avenue, Tallahassee, Florida 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant at (850)922-2701 at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) 1(800)955-8770 (Voice).

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The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, September 10, 2003, 2:00 p.m.; Thursday, September 11, 2003, 8:00 a.m. and Friday, September 12, 2003, 8:00 a.m.

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Fort Lauderdale, FL 33316.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing to the Construction Industry Licensing Board, 1940 N. Monroe Avenue, Tallahassee, Florida 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant at (850)922-2701 at least seven calendar days

prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) 1(800)955-8770 (Voice).

The Florida **Board of Veterinary Medicine** announces the following meeting to be held by telephone conference call, to which all persons are invited to attend.

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

PLACE: Access Phone (850)410-0964, Suncom 210-0964

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting, agenda available on request.

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-2404, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Veterinary Medicine** announces the following meeting to which all parties are invited to attend.

DATE AND TIME: June 19, 2003, 8:00 a.m.

PLACE: Celebration Hotel, 700 Bloom Street, Celebration, FL 34747, (407)566-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-7154, at least five calendar days prior to the meeting. If you are hearing or speech impaired,

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

The **Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board** hereby gives notice that a public workshop to which all interested persons are invited.

TIME AND DATE: June 5, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: Radisson Hotel, 5780 Major Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purposes of rule development on Chapter 61G19-6, F.A.C. A notice of rule development was published in Vol. 29, No. 20 of the May 16, 2003 Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Anthony Spivey, Executive Director, Board of Building Code Administrators and Inspectors, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

The **Board of Accountancy**, Committee on Accounting Education announces a public meeting to which all person are invited:

DATE AND TIME: Thursday, May 29, 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 no later than May 23, 2003, (850)487-1395.

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, (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

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

**DATES AND TIME:** Tuesday, June 24, 2003, 9:00 a.m. – Probable Cause Panel; Wednesday, June 25, 2003, 9:00 a.m. – Meeting of the Board

**PLACE:** Hilton Tampa Airport, 2225 Lois Avenue, Tampa, FL

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

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

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

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

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

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#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The **Department of Environmental Protection** (DEP) announces a public meeting of the Environmental Regulation Commission to which all interested persons are invited.

**DATES AND TIME:** May 28-29, 2003, 9:00 a.m.

**PLACE:** Conference Room A, Marjory Stoneman Douglas Building, 3900 Commonwealth Blvd., Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The meeting will continue the rule adoption proceeding on Rules 62-302.530 and 62-302.540, F.A.C., proposed phosphorus criterion for the Everglades Protection Area.

For more information contact: Jacqueline McGorty, (850)245-2231, e-mail: jackie.mcgorty@dep.state.fl.us.

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".

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The **Department of Environmental Protection** announces a rule development workshop to which all persons are invited.

**DATE AND TIME:** June 17, 2003, 9:00 a.m. – 1:00 p.m.

**PLACE:** Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Rooms A, B and C, Orlando, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public workshop to discuss proposed changes to Rule Chapter 62-710, F.A.C., which sets forth requirements for used oil management.

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".

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The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

**DATE AND TIME:** Thursday, May 29, 2003, 7:00 p.m.

**PLACE:** Lee County South County Regional Library, 21100 Three Oaks Parkway, Estero, Florida 33928

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To present the proposed land management plans for Koreshan State Historic Site and Mound Key State Archaeological Site to the public.

The full text of this notice is published on the Internet at the Department of Environmental Protection's homepage at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices".

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The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a DEP Advisory Group meeting to which all persons are invited.

**DATE AND TIME:** Friday, May 30, 2003, 9:00 a.m.

**PLACE:** Koreshan State Historic Site, Recreation Hall, Corkscrew Road and U.S. Highway 41, Estero, Florida 33928

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss the proposed land management plans for Koreshan State Historic Site and Mound Key State Archaeological Site with the DEP Advisory Group members.

The full text of this notice is published on the Internet at the Department of Environmental Protection's homepage at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices".

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The Florida **Department of Environmental Protection** announces a workshop for the development of a southeast Florida coral reef conservation and management action strategy to which all persons are invited.

**DATE AND TIME:** May 29, 2003, 12:30 p.m. – 4:30 p.m.

**PLACE:** NSU Communiversity, Room 515/516, 3530 South University, Davie, FL 33328

GENERAL SUBJECT MATTER TO BE CONSIDERED: Welcome and Introductions; Review of US Coral Reef Task Force Priority Focus Areas; Review and comment on current state coral reef conservation and management efforts; Review and development of initial local action strategies; Developing schedule of followup issue-based meetings; Adjourn  
 Questions and comments may be directed to: Paula Allen, DEP/OCAMA, (850)245-2094 or e-mail: paula.l.allen@dep.state.fl.us.  
 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."

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## DEPARTMENT OF HEALTH

The Florida **Bureau of Emergency Medical Services** will hold a conference call to which all interested persons are invited to participate.

DATE AND TIME: May 22, 2002, 2:00 p.m. (EST)

PLACE: Bureau of Emergency Medical Services, 4025 Esplanade Way, 3rd Floor, Tallahassee, FL 32301, (850)245-4055

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues relating to the Paramedic shortage in Florida.

An agenda may be obtained by contacting: Desi Lassiter, Bureau of Emergency Medical Services, (850)245-4055.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)245-4055, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Desi Lassiter, 4052 Bald Cypress Way, Bin #C18 (HEMS), Tallahassee, Florida 32399-1738 or call (850)245-4055.

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The **Department of Health, Board of Hearing Aid Specialists**, announces a telephone conference call. All interested parties are invited to attend with the information listed below, which is normally open to the public.

DATE AND TIME: May 21, 2003, 4:00 p.m.

PLACE: (850)245-4461 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474 at least one week prior to meeting date.

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

DATE AND TIME: June 5, 2003, 2:00 p.m.

PLACE: Embassy Suites, 3794 N. W. South River Drive, Miami, Florida 33142, (305)634-5000

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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

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

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## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited:

Executive Committee

DATE AND TIME: May 14, 2003, 8:00 a.m. – 5:00 p.m.

PLACE: Clem C. Benton Bldg., Room 327-D, 337 N. US Hwy #1, Ft. Pierce, FL 34950



For more information, please contact: 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 Pearlle 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 Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15 announces the following public meeting to which all persons are invited:

**ALLIANCE MEETING**

**DATE AND TIME:** May 23, 2003, 8:30 a.m. – 12:00 Noon

**PLACE:** Village Green Retail Center, Workforce Development Board Room, 9350 S. US #1, Pt. St. Lucie, FL

For more information, please contact: Betty Robinson, CBC Liaison, 337 N. 4th St., Suite A, Ft. Pierce, FL 34950, (772)467-4174.

**SPECIAL ACCOMMODATION:** Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Pearlle Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System at 1(800)8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Children and Family Services**, District 11, Miami-Dade Community Based Care Alliance announces a public meeting to which all persons are invited:

**DATE AND TIME:** Wednesday, May 21, 2003, 2:30 p.m. – 4:00 p.m.

**PLACE:** Rhode Building, 401 N. W. 2nd Avenue, Suite S-1014 Conference Room, Miami, Florida 33128, (305)377-5006

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Monthly Miami-Dade Community Based Care Alliance System of Care 13-18 Subcommittee Meeting.

For copies of the agenda, further information, or person requiring accommodations in order to participate in this meeting should contact Evelio Torres Family Safety Community Based Care Transition Manager, (305)377-5006 or in writing by close of business (5:00 p.m) no later than five working days prior to the meeting.

The Developmental Disabilities Program of the **Department of Children and Family Services** announces a meeting of the Interagency Quality Council to which all interested persons are invited.

**DATES AND TIMES:** June 18, 2003, 10:00 a.m. – 5:00 p.m.; June 19, 2003, 9:00 a.m. – 1:00 p.m.

**PLACE:** The Embassy Suite Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A regularly scheduled quarterly meeting for the purpose of planning and review of quality assurance for Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Michael Freeman, Developmental Disabilities Program Office, (850)488-4877, Ext. 118.

The **Department of Children and Family Services**, District 12, Community Alliance CBC Workgroup Foster Parent Recruitment and Retention Taskforce announces the following public meetings to which all persons are invited.

**DATES AND TIME:** May 23, 2003; June 13, 2003, 10:00 a.m.

**PLACE:** Department of Children and Family Services, 210 N. Palmetto Ave., May 23rd – Conf. Room 338, June 13th – Conf. Room 148, Daytona Beach, Florida

A copy of the agenda may be obtained by writing to the Department of Children and Family Services, 210 N. Palmetto Avenue, Daytona Beach, FL 32114-3284, Attn: Denise Kelly.

If you need special accommodations (i.e. assisted listening devices, sign language interpreter, etc.) please notify Denise Kelly, (904)238-4648, at least 48 hours in advance of the meeting.

If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

The **Department of Children and Family Services, Mental Health Program** announces a public meeting to which all interested parties are invited to participate.

**DATE AND TIME:** Monday, May 16, 2003, 2:00 p.m.

**PLACE:** Department of Children and Family Services, District Office, 111 South Sapodilla Ave., 3rd Floor, Conference Room 2, West Palm Beach, Florida 33401

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** On the designation of Fair Oaks Pavillion at Delray, Oakwood Center of the Palm Beaches, Inc. and Western Palm Beach County Mental Health Center d/b/a Healthy Solutions Resource Center as Baker Act receiving facilities.

The **Department of Children and Family Services, Mental Health Program Office** announces a public meeting to which all persons are invited:

**DATE AND TIME:** May 23, 2003, 2:00 p.m. (CST)

**PLACE:** Department of Children and Family Services, 500 West 11th Street, First Floor Conference Room, Panama City, Florida 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: The department is seeking public input and information regarding the re-designation of the Bay Behavioral Health Center as a private Baker Act receiving facility in Bay County, Florida.

Persons with disabilities requiring accommodations in order to participate in this event should contact Beth Mueller by telephone or in writing: LCSW, 2639 North Monroe Street, A-100, Tallahassee, FL 32303, (850)488-2419, by close of business (5:00 p.m., EDT), no later than five working days prior to the meeting.

FOR FURTHER INFORMATION CONTACT: Jerry Brown, (850)488-2419.

### NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 23, 2003, 8:30 a.m.

PLACE: The Environmental Learning Center, 255 Live Oak Drive, Vero Beach, Indian River County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Finance and Budget, Personnel and Property Acquisition and Management Committees will meet.

Please contact the District office, 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386, for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

### FLORIDA HOUSING FINANCE CORPORATION

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the

acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Lake Shore Apartments, a 192-unit multifamily residential rental development to be located at 45th Street and Congress Avenue, West Palm Beach, Palm Beach County, Florida 33407. The prospective owner of the proposed development is Lakeshore Apartments LLC, c/o The Richman Group of Florida, Inc., 319 Clematis Street, #901 West, Palm Beach, Florida 33401, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$7,900,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Highland Lakes Apartments, a 116-unit multifamily residential rental development to be located at Sparta Road and US Highway 27, Sebring, Highlands County, Florida 33875. The prospective owner of the proposed development is Highland Lakes LLC, c/o The Richman Group of Florida, Inc., 319 Clematis Street, #901, West, Palm Beach, Florida 33401, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$3,780,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

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Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Garfield Place Apartments, a 228-unit multifamily residential rental development to be located at 450 East Euclid Avenue, Deland, Volusia County, Florida 32720. The prospective owner of the proposed development is Garfield Place Apartments Ltd., c/o PAC Land Development Corporation, 730 Bonnie Brae Street, Winter Park, Florida 32789, or such successor in interest in which PAC Land Development Corporation, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$10,600,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

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Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Anderson Terrace Apartments, a 275-unit multifamily residential rental development to be located at Anderson Snow Road, 1/2 mile north of Amero Lane, Spring Hill, Hernando County, Florida 34609. The prospective owner of the proposed development is Creative Choice Homes XXXIII Ltd., c/o Creative Choice Homes, Inc., 4243-D Northlake Boulevard, Palm Beach Gardens, Florida 33410, or such successor in interest in which Creative Choice Homes, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$14,100,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

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Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Pinnacle Village, a 148-unit multifamily residential rental development to be located at Powerline Road between North West Sixth Street and North West Tenth Court, Pompano Beach, Broward County, Florida 33069. The prospective owner of the proposed development is Pinnacle Village Ltd., c/o Pinnacle Housing Group LLC, 9400 South Dadeland Boulevard, Suite 100, Miami, Florida 33156, or such successor in interest in which Pinnacle Housing Group LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$8,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

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Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)  
PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Sonoma Bay Apartments, a 320-unit multifamily residential rental development to be located at Congress Avenue and Silver Beach Road, Riviera Beach, Palm Beach County, Florida 33404. The prospective owner of the proposed development is Sonoma Bay Associates, Ltd., c/o Cornerstone Group Development LLC, 2121 Ponce de Leon Boulevard, Penthouse, Coral Gables, Florida 33134, or such successor in interest in which Cornerstone Group Development LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$21,170,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)  
PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Cypress Pointe Apartments, a 240-unit multifamily residential rental development to be located at Blanding Boulevard and Knight Boxx Road, Middleburg, Clay County, Florida 32068. The prospective owner of the proposed development is Cypress Pointe Associates, Ltd., c/o Cornerstone Group Development LLC, 2121 Ponce de Leon Boulevard, Penthouse, Coral Gables, Florida 33134, or such successor in interest in which Cornerstone Group Development LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$12,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such

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

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Clipper Bay Apartments, a 276-unit multifamily residential rental development to be located at 6727 South Lois Avenue, Tampa, Hillsborough County, Florida 33616. The prospective owner of the proposed development is Clipper Bay Associates, Ltd., c/o Cornerstone Group Development LLC, 2121 Ponce de Leon Boulevard, Penthouse, Coral Gables, Florida 33134, or such successor in interest in which Cornerstone Group Development LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$13,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such

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

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Heritage at Green Cay, a 320-unit multifamily residential rental development to be located northwest of the intersection of Jog Road, Boynton Beach, Palm Beach County, Florida 33437. The prospective owner of the proposed development is Heritage at Green Cay Ltd., c/o Housing Trust Group of Florida LLC, 3225 Aviation Avenue, Suite 700, Miami, Florida 33133, or such successor in interest in which Housing Trust Group of Florida LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$20,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

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Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Park 41 Place Apartments, a 224-unit multifamily residential rental development to be located on the south side of Littleton Road, 900 feet east of US Highway 41, North Ft. Myers, Lee County, Florida 33903. The prospective owner of the proposed development is PAC Ft. Myers Ltd., c/o PAC Land Development Corporation, 730 Bonnie Brae Street, Winter Park, Florida 32789, or such successor in interest in which PAC Land Development Corporation, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$12,900,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Provincetown Village, a 50-unit single family residential rental development to be located southeast of the intersection of Brick Yard Road and US Highway 90, Midway, Gadsden County, Florida 32343. The prospective owner of the proposed development is Provincetown Village Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$4,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Lee Vista Club Apartments, a 312-unit multifamily residential rental development to be located on the northeast corner of the intersection of Lee Vista Boulevard and Augusta National Drive, Orlando, Orange County, Florida 32822. The prospective owner of the proposed development is Lee Vista Club Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$16,600,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

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Nassau Club Apartments, a 192-unit multifamily residential rental development to be located on the east side of SR 107, south of the intersection at Hardy Allen Road, Fernandina Beach, Nassau County, Florida 32034. The prospective owner of the proposed development is Nassau Club Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$9,555,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Covington Club Apartments, a 128-unit multifamily residential rental development to be located on the north side of Chapman Road, west of the intersection at SR 434, Oviedo, Seminole County, Florida 32765. The prospective owner of the proposed development is Covington Club Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$6,820,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

The Lakes at San Marco, a 312-unit multifamily residential rental development to be located at the southwest quadrant of Capital Circle and Woodville Highway, Tallahassee, Leon County, Florida 32305. The prospective owner of the proposed development is CMP CHP San Marcos Ltd., c/o CHP Housing Development LLC and Camden Management Partners Inc., 241 Peachtree Street, Atlanta, Georgia 30303, or such successor in interest in which CHP Housing Development LLC and Camden Management Partners Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$15,600,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Valencia Lakes, a 148-unit multifamily residential rental development to be located at 13408 Grand Prix Way, Tampa, Hillsborough County, Florida 33612. The prospective owner of the proposed development is Valencia Lakes Ltd., c/o Carlisle Development Group LLC, 6389 Belgrand Drive, Tallahassee, Florida 32312, or such successor in interest in which Carlisle Development Group LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$6,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Spring Trace, a 208-unit multifamily residential rental development to be located at the northwest corner of the intersection of North Lake Avenue and Fernery Lane, Leesburg, Lake County, Florida 34748. The prospective owner of the proposed development is Spring Trace Associates LLC, c/o Regency Development Associates Inc., 1103 West Hibiscus Boulevard, Suite 408, Melbourne, Florida 32901, or such successor in interest in which Regency Development Associates Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$10,200,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be

addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Morse Landing, a 234-unit multifamily residential rental development to be located at the northeast corner of Morse Avenue and I-295, Jacksonville, Duval County, Florida 32244. The prospective owner of the proposed development is Morse Landing LLC, c/o Morse Landing Development LLC, 300 Columbia Drive, Unite 3201, Cape Canaveral, Florida 32920, or such successor in interest in which Morse Landing Development LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$11,150,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be

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GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Longwood Commons, a 264-unit multifamily residential rental development to be located at Lawnwood Circle and Neb Avenue, Ft. Pierce, St. Lucie County, Florida 34950. The prospective owner of the proposed development is Longwood Commons LP, c/o Triad Housing Partners LLC, One Oakwood Boulevard, Suite 195, Hollywood, Florida 33020, or such successor in interest in which Triad Housing Partners LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$13,746,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be

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Sandpiper Cove Apartments, a 241-unit multifamily residential rental development to be located on Northeast 13th Street at the intersection of Northeast 12th Street, Cape Coral, Lee County, Florida 33909. The prospective owner of the proposed development is Sandpiper Cove of Cape Coral Ltd., c/o Davis Heritage Development Ltd., 20725 S.W. 46th Avenue, Newberry, Florida 32669, or such successor in interest in which Davis Heritage Development Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$12,700,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by

5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Brookstone Apartments, a 217-unit multifamily residential rental development to be located on Sharer Road at the intersection of Fulton Road, Tallahassee, Leon County, Florida 32312. The prospective owner of the proposed development is Brookstone of Leon County, Ltd., c/o Davis Heritage Development Ltd., 20725 S.W. 46th Avenue, Newberry, Florida 32669, or such successor in interest in which Davis Heritage Development Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$15,300,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed.

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PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Osprey Cove Apartments, a 301-unit multifamily residential rental development to be located on Koreshan Boulevard at the intersection of Tamiami Trail, Ft. Myers, Lee County, Florida 33912. The prospective owner of the proposed development is Osprey Cove of Lee County, Ltd., c/o Davis Heritage Development Ltd., 20725 SW 46th Avenue, Newberry, Florida 32669, or such successor in interest in which Davis Heritage Development Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$17,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed.

Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Mill Creek Apartment Homes, a 312-unit multifamily residential rental development to be located on Commander Drive south of Gatlin Avenue, Orlando, Orange County, Florida 32822. The prospective owner of the proposed development Prime/Commander Drive LLC, c/o Prime Residential LLC, 350 North LaSalle Street, Suite 1100, Chicago, Illinois 60610, or such successor in interest in which Prime Residential LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$19,965,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed.

Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

The Club at Palm Bay Apartments, a 184-unit multifamily residential rental development to be located on the southeast corner of Babcock Street Northeast and Sunlake Road, Palm Bay, Brevard County, Florida 32905. The prospective owner of the proposed development is The Club at Palm Bay Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$9,570,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

The Crossings at Cape Coral Apartments Phase II, a 112-unit multifamily residential rental development to be located on the east and west sides of Hancock Creek South boulevard, south of the intersection at Pine Island Road, Cape Coral, Lee County, Florida 33903. The prospective owner of the proposed development is The Crossings at Cape Coral Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a

managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$6,340,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Lexington Club at Lake Parker Apartments, a 160-unit multifamily residential rental development to be located on the north side of East Bella Vista Street, west of the intersection at West Lake Parker Drive, Lakeland, Polk County, Florida 33805. The prospective owner of the proposed development is Lexington Club at Lake Parker Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida

32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$9,400,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Riverside Village, a 34-unit single family/town home residential rental development to be located at 876 Beckett Way, Tarpon Springs, Pinellas County, Florida 34689. The prospective owner of the proposed development is Riverside Village Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida 32751, or such

successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$3,205,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Town Parke Apartments, a 192-unit multifamily residential rental development to be located on the south side of SR 434, southeast of the intersection at Tuskawilla Road, Winter Springs, Seminole County, Florida 32708. The prospective owner of the proposed development is Town Parke Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur

Road, Maitland, Florida 32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$11,020,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Danielle Woods Apartments, a 120-unit multifamily residential rental development to be located on the west side of South Highway 77, approximately 1/4 mile south of the intersection at 26th Street, Lynn Haven, Bay County, Florida 32444. The prospective owner of the proposed development is Vestcor



Fund XXIII Ltd., c/o Vestcor Development Corporation Inc., 3020 Hartley Road, Suite 300, Jacksonville, Florida 32257, or such successor in interest in which Vestcor Development Corporation Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$5,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: Tuesday, June 3, 2003, 11:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Nautical Bay Apartments, a 96-unit multifamily residential rental development to be located on the east side of I-95 south of the intersection at SR 100, Palm Coast, Flagler County, Florida 32137. The prospective owner of the proposed

development is Nautical Bay Partners Ltd., c/o Sandspur Housing Partners Ltd., 1551 Sandspur Road, Maitland, Florida 32751, or such successor in interest in which Sandspur Housing Partners Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$5,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Monday, June 2, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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## FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE OF CORRECTION – In the May 9, 2003 issue of the Florida Administrative Weekly, the **Fish and Wildlife Conservation Commission** published notice of its regular May meeting in Kissimmee, Florida. The notice inadvertently gave March as the month of the meeting. It should have read:

DATES AND TIME: May 28-30, 2003, 8:30 a.m. each day

PLACE: Osceola County Administration Building, One Courthouse Square, 4th Floor, Room 400, Kissimmee, Florida

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## CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a meeting of its Board of Governors to which all interested person are invited.

DATE AND TIME: Monday, May 19, 2003, 1:00 p.m. (EDT)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, the purchase of reinsurance, selection of bond underwriters, and review of audited financial statements.

For additional information, please call: 1(800)807-7647, Extension 3702.

**H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

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

DATE AND TIME: Wednesday, May 28, 2003, 1:30 p.m.

PLACE: Moffitt Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact Ms. Barbara Sawyer by Friday, May 23, 2003.

**CANCER CONTROL RESEARCH ADVISORY BOARD**

The **Cancer Control Research Advisory Board (C-CRAB)** announces a meeting to which all persons are invited.

DATE AND TIME: May 29, 2003, 1:00 p.m. – 4:00 p.m.

PLACE: Tampa Airport Marriott, Tampa, FL

A copy of the agenda may be obtained from: Brian J. Calkins, Moffitt Cancer Center, (813)632-1310 or [calkinbj@moffitt.usf.edu](mailto:calkinbj@moffitt.usf.edu).

**LAKE COUNTY BOARD OF COUNTY COMMISSIONERS**

The **Lake County Board of County Commissioners**, Department of Public Works announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, June 10, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: St. Mark Lutheran Church, 28215 South US Highway 27, Leesburg, 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, and environmental effects of the proposed improvements to County Road 470, from the Sumter County Line to 1/4 mile east of US 27 in Lake County, Florida.

Anyone needing project or public hearing information, to obtain a copy of the agenda or special accommodations under the Americans With Disabilities Act of 1990 should write or call: Mr. Noble Olasimbo, Project Manager, Lake County Public Works, 123 North Sinclair Avenue, Tavares, Florida 32778, (352)253-4983. Special accommodation requests under the Americans With Disabilities Act should be made at least seven (7) days prior to the public hearing.

**COMMISSION ON TOURISM**

The Florida **Commission on Tourism** announces a public meeting of the VISIT FLORIDA Board of Directors and the Florida Commission on Tourism as follows:

Meeting: Visitor Services Committee

DATE AND TIME: Wednesday, June 18, 2003, 8:00 a.m. – 9:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will hear updates on the Florida Welcome Centers and other business as necessary.

Meeting: Cultural, Heritage and Nature Tourism Development Committee

DATE AND TIME: Wednesday, June 18, 2003, 9:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will hear regional updates and other business as necessary.

Meeting: Nature/Based and Heritage Advisory Committee to the Florida Commission on Tourism

DATE AND TIME: Wednesday, June 18, 2003, 1:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and discuss old and new business.

Meeting: Finance Committee

DATE AND TIME: Wednesday, June 18, 2003, 10:00 a.m. – 11:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review FY 2003/04 budgets and financial statements.

Meeting: Multicultural Subcommittee

DATE AND TIME: Wednesday, June 18, 2003, 10:00 a.m. – 11:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subcommittee will review and discuss business as necessary.

Meeting: Partner Development Committee

DATE AND TIME: Wednesday, June 18, 2003, 1:00 p.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss old business and strategies for recruiting new Partners.

Meeting: Marketing Committee

DATE AND TIME: Wednesday, June 18, 2003, 3:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss and review marketing strategies and other business as necessary.

Meeting: VISIT FLORIDA Board of Directors Meeting

DATE AND TIME: Thursday, June 19, 2003, 9:00 a.m. – adjournment

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss committee reports, FY 2003/04 budget and on-going issues and other matters.

Meeting: Florida Commission on Tourism

DATE AND TIME: Thursday, June 19, 2003, upon adjournment of the Board of Directors meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

PLACE: Crowne Plaza Pensacola Grand Hotel, 200 E. Gregory Street, Pensacola, FL 32501, (850)433-3336

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100 or (850)488-5607, Ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD)

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## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### **PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition for a Declaratory Statement from ALLTEL Communications, Inc. The petition seeks the agency's opinion as to whether it is subject to the Commission's jurisdiction for the purpose of its designation as an "Eligible Telecommunications Carrier" as defined in 47 U.S.C. § 214(e).

A copy of the petition may be obtained at <http://www.psc.state.fl.us/psc/dockets/> or by writing: Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Tallahassee, FL 32399-0862. DOCKET NO. 030413-TP.

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### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Building Code Administrators and Inspectors Board hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Deborah Rastin. The petition seeks the Board's interpretation of Section 468.602(3), Florida Statutes. The petition specifically asks whether Officer Rastin's issuance of notices of violation pursuant to sections 103.5, 104.1, 105.6, and 106.2 of the Palm Beach County Building Code falls within the arena of the unauthorized practice of building code inspectors, and whether state or local law prohibits code enforcement officers from issuing citations for local, nontechnical, administrative amendments to the adopted Florida Building Code where an active building permit has not been issued for the site and a permit is required. Comments on this petition should be filed with the Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, FL 32399-2202.

The Board will consider this petition at its meeting on June 5th and 6th, 2003, in Orlando, Florida. For additional information or a copy of the petition, contact: Anthony Spivey, Executive Director, Board of Building Code Administrators and Inspectors, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Massage Therapy received a Petition for Declaratory Statement from Stuart Fox, by and through his attorney Cris Evan Boyar, that was filed on May 2, 2003. Petitioner requests a declaratory statement from the Board concerning a licensed massage therapist's scope of practice under Section 480.033(3), Florida Statutes, in regards to motion exercises, movements and stretching.

A copy of the Petition for Declaratory Statement may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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### **DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Eric Neilinger on February 7, 2003. The Order quotes NFPA 101, Section 9.6.3.6, as saying "Notification signals for occupants to evacuate shall be any audible and visible signals in accordance with NFPA 72 ... or other means of notification acceptable to the authority having jurisdiction shall be provided." (Emphasis supplied). The questions presented are, therefore, matters for the local authorities having jurisdiction to determine. If, after the

Petitioner has availed himself of the local appeal process a dispute exists with respect to the question presented, and petitioner is a person whose substantial interests are affected, petitioner may petition for a declaratory statement to the State Fire Marshal as the final administrative interpreting authority. The Petition for Declaratory Statement was thereupon dismissed, with leave to reapply if necessary after completion of the local appeal process.

A copy of the order may be obtained in any of the following ways:

1. Write to, call or send a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises), or
2. E-mail your request to [mazzeog@doi.state.fl.us](mailto:mazzeog@doi.state.fl.us) (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or
3. You may obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal's website at <http://www.doi.state.fl.us/SFM/sfmdeclaratorystatement.htm>

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NOTICE IS HEREBY GIVEN that the Department of Financial Services has received a withdrawal of the petition for declaratory statement filed by Eric Neilinger on February 7, 2003. The matter is therefore closed.

A copy of the withdrawal may be obtained by writing, calling or sending a fax to: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises) or you may e-mail your request to [mazzeog@dfs.state.fl.us](mailto:mazzeog@dfs.state.fl.us).

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NOTICE IS HEREBY GIVEN that the Department of Financial Services (formerly the Department of Insurance), Division of State Fire Marshal, has received a Petition for Declaratory Statement filed May 5, 2003, from Alfonso Fernandez-Fraga. The Petition is seeking the Department's interpretation of the Florida Fire Prevention Code and specifically NFPA 13, Section 5-14.1.1.1 and 5-14.1.1.2. Petitioner specifically requests a declaratory statement on the following question:

Does NFPA 5-14.1.1.1 mandate the use of a post indicator valve or will a supervised, O. S. & Y. Valve satisfy the requirement? The valves are mandated by the health department in order to comply with cross-connection (backflow) requirements and appear on every job. The separate post indicator is redundant.

A copy of the Petition may be obtained by writing, calling or sending a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to [mazzeog@doi.state.fl.us](mailto:mazzeog@doi.state.fl.us). Please mention Fernandez-Fraga2 in your request.

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NOTICE IS HEREBY given that the Office of Financial Institutions and Securities Regulation of the Department of Financial Services, has received a petition filed on February 27, 2003, pursuant to Section 120.565, Fla. Stat., from AmeriP.O.S., Inc. through their legal counsel Melanie S. Marks of Cove & Associates, for a declaratory statement regarding the application of Section 560.117, F.S. Specifically, the petitioner has requested a declaratory statement concerning whether AmeriP.O.S., Inc. is a "money transmitter" pursuant to Chapter 560, Fl. Stat. wherein AmeriP.O.S., Inc. sells various prepaid products, including prepaid cellular, prepaid calling cards, prepaid internet and prepaid home dial tone. The products are sold through AmeriP.O.S., Inc.'s distributor in sundry retail establishments. AmeriP.O.S., Inc., receives a commission for products sold at retail on a monthly basis from its processor. AmeriP.O.S., Inc. then pays its distributors commissions on a monthly basis for products sold out of their locations according to agreed upon commissions for individual products. All moneys received by AmeriP.O.S., Inc., are remitted for prepaid products sold at various retail locations.

The Petition for Declaratory Statement is being processed and is available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at the Office of Financial Institutions and Securities Regulation, Department of Financial Services, Legal Services Office, 200 East Gaines Street, Larson Building, Tallahassee, Florida 32399-0379. Requests for copies or inspection should be made to D.H.Penton, Assistant General Counsel, at the above address.

Those persons whose substantial interests may be determined by these proceedings, including settlements, grants and denials, are advised that they may intervene concerning this matter in accordance with the provisions of Rule 28-106.205, F.A.C. Petitions for leave to intervene should be in conformance with Rule 28-106.201 or 28-106.301, F.A.C., and shall also include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to agency rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the proceeding. Original petitions and two copies shall be filed with the Clerk, Office of Financial Institutions and Securities Regulation, Department of Financial Services, Legal Services Office, 200 East Gaines Street, Fletcher 526, Tallahassee, Florida

32399-0379. The following statutory chapters and rule chapters directly govern proceedings before the Department: Chapter 120, Fla. Stat., and Chapter 28-106, F.A.C. In deference to the rights of substantially affected persons, the Department will not settle or otherwise reach a final resolution of these matters for a period of twenty-one (21) days from the date of this publication.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

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

**NONE**

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

**NONE**

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

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**REQUESTING BIDS FOR FURNISHING  
INSTRUCTIONAL MATERIALS TO THE  
STATE OF FLORIDA**

Sealed bids addressed to the Florida Department of Education and marked "Sealed Bid" will be received in the office of the Commissioner of Education no later than 5:00 p.m. (EDT), June 3, 2003.

Bids shall include proposals for furnishing instructional materials effective April 1, 2004, for a period of six years in the areas of Mathematics, Grades 6-12; Computer/Business Technology Education, Grades 6-12; Computer Education, Grades K-5; and for a period of three years in the areas of Marketing Education, Grades 6-12; and Diversified Education, Grades 6-12. A detailed list of the selection criteria may be obtained from the Instructional Materials Office, Room 532 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400, or by accessing the Department of Education website at <http://www.firm.edu/doe/instrmat>. The bid shall state the lowest wholesale price at which the materials will be furnished, f.o.b. to the Florida depository of the bidder.

Official minimum standards and specifications for paper, printing, binding, binderboard, and cover fabric have been adopted by the Department of Education and are available for inspection in Room 532, Turlington Building.

Each bidder shall furnish specimen copies of all materials submitted at a time designated by the Department of Education, which specimen copies shall be identical with the copies approved and accepted by the state instructional materials committee and copies furnished to district superintendents as provided in Section 1006.38, Florida Statutes.

Contracts must be executed and required bonds submitted within 30 calendar days after receipt of the contract.

The Department of Education reserves the right to reject any or all bids.

**INVITATION TO BID  
BID NO. FO&M 41-2  
LIQUID BRINE**

**PURPOSE:** The purpose of this Invitation to Bid is to provide Florida State University Central Utilities Plant with liquid brine on an as needed basis. Florida State University Central Utilities Plant operates 24 hours per day, 7 days a week (holidays and weekends), 365 days a year. FSU is seeking to establish a contract with a qualified Brine vendor to supply materials when requested and meet all the specifications as provided below.

**SPECIFICATIONS:**

**LIQUID BRINE:** Shall be delivered in bulk approximately 4000 to 5000 gallons per delivery. Liquid brine is to be filtered to remove organic or inorganic contaminants, dirt or insoluble foreign matter. Brine is to be delivered at a saturation concentration of 96% to 100% when off loaded (pumped) into our tank. Random samples of brine will be taken for campus analysis to insure brine quality.

Bidder shall provide a written statement with the bid certifying that the bidder or the bidder representative has visited the project site. Statement shall also include the date and time of inspection and name of CUP representative who was in charge of the inspection.

MATERIAL SAFETY DATA SHEET: MSDS must be provided for requested liquid brine.

DELIVERY: Central Utilities Plant Operates 365 Days a Year (Weekends and Holidays)

1. Deliveries for Brine are to be received by FSU Central Utilities Plant within 72 hours of requesting order. Weekends and holidays will not be exempted from the 72 hours delivery time. Failure on the vendor's part to respond to a delivery request will be considered a breach of this contract and may result in a penalty to the vendor. This penalty will not exceed the difference between the current contract price and the price Florida State University paid for another vendor to deliver the liquid brine. Continuation of non-responsiveness of the vendor may result in termination of the contract.
2. Deliveries will be accepted between 12:00 midnight and 4:00 a.m. All trucks must be off loaded and away no later than 5:00 a.m. Florida State University will make every effort to expedite delivery. In the unavoidable event of a delay due to unforeseen circumstances, Florida State University will not be held responsible for any costs incurred by the vendor due to that delay.
3. Delivery truck operator must be a full time employee of the liquid Brine Company and familiar with the liquid brine trucks off loading equipment. (Pump & related equipment).
4. Delivery is to be made in a company tank truck set up and used only for liquid brine delivery.
5. Common carriers will not be allowed.
6. It will be the responsibility of the Brine Company to provide a pump and pump discharge hose that will match the inlet pipe of C.U.P. brine tank. C.U.P. brine inlet is a 2" female cam-lock type fitting.
7. It will be the responsibility of the Brine Company to pump the liquid brine into the University brine storage tank.
8. University will pay for the amount of brine delivered and registered on the University meter. Vendor is encouraged to provide a meter at the brine discharge point of his vehicle for comparison purposes.
9. Successful vendor must provide the University with telephone, fax, beeper, and cell phone number of their contact person to ensure the vendor can be reached immediately when brine is required. Brine plays a significant role in campus operations and timely delivery is of the utmost importance.

PLANT SAFETY: All individuals working in the Central Utilities Plant shall adhere to Plant safety rules and regulations for hard hats and hearing protection. The vendor shall be responsible for adhering to established Lockout/Tag out procedures as required by C.U.P. The vendor shall provide safety harness for staff and employee protective equipment necessary for this project.

QUANTITY: The Quantity of brine shown on this invitation to bid is an estimate for bidding purposes only; brine purchases will be based on actual needs. FSU does not guarantee the purchase of any quantity of amount reflected in this invitation. The university consumed approximately 70,000 gallons of brine during the 1999/2000 fiscal year.

CONTRACT TERMS: An award based from this Invitation will be for a period of one year dated from July 1, 2003, through June 30, 2004. The University reserves the right to extend the contract for two additional one-year periods, July 1, 2004 – June 30, 2005 and July 1, 2005 – June 30 2006, with the written consent of the successful vendor. All terms and conditions of the original contract shall remain in effect through out any extensions.

The University may authorize unit price adjustments (one-year increments) on the anniversary date of the contract. The price adjustments cannot exceed the change in annual rate of inflation as determined by the GNP Deflator Index in effect on the contract anniversary date.

TERMINATION: Florida State University may cancel this contract without cause and or without penalty by advising contractor of such intentions by Certified Mail at least 30 days in advance of such action.

FREIGHT: All deliveries are to be F.O.B Florida State University, Central Utilities Plant, Tallahassee, Fla. and must include all pumping included in the cost of brine.

Rate Sheet

For purposes of cost evaluation, Florida State University is seeking rate responses for both LOT 1 and LOT 11, (ready to use vs. some production required). Please bid on eight or both sections if your company can provide the materials, services, and delivery as specified in this bid. Provide bids as requested: no conditional responses will be accepted.

LOT I

Ready to use, NO FSU production assistance required:

Brine cost per gallon \$ \_\_\_\_ X 70,000 gallons \$ \_\_\_\_

LOT II

Needs the production of electricity, water and compressed air to or support off-loading of liquid brine:

Brine cost per Gallon \$ \_\_\_\_ X 70,000 gallons \$ \_\_\_\_ \*

\*Vendor Note: If the FSU Central Utilities Plant provides any electricity, water or compressed air to support the production (mixing of the liquid brine) or off-loading, a budget price of one (1) cent per gallon will be added to the vendor rate response for a total purchase price per gallon of Brine. (This one-cent per gallon is for purposes of bid evaluation; it is the estimated costs to FSU to assist vendor in production).

Award of this Invitation to Bid will be based on the lowest total cost of 70,000 gallons of liquid brine delivered to the University. This estimated amount is for bidding purposes only. Brine will be purchased on an as needed basis. FSU reserves

the right to make award to LOT I, LOT II, all or none, or a combination thereof, whichever serves the best interest of the University.

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NOTICE TO BIDDERS  
PUBLIC BID OPENING

Bid Number: FO&M 41-2

Purchasing Agent: B.J. Lewis, FO&M Purchasing

Location: Central Utility Plant, Woodward Street, Room 144

Public Bid Opening: June 2, 2003 at 2:00 p.m.

Bids may be brought directly to the bid opening or delivered to the Purchasing Department FO&M, Maintenance, 114 Mendenhall Building A, Tallahassee FL 32306 prior to the scheduled opening time. Bids, which for any reason, are not delivered to this location at the prescribed time will not be considered. Delivery of a bid to the University Post Office or any other point on the University campus other than the Purchasing Department Office is not acceptable. It is the bidder's responsibility to insure that his bid is delivered at the proper time and place for the bid opening. To insure your BID or NO BID response remains sealed until opening time, place BID NUMBER, DATE AND TIME OF OPENING ON OUTSIDE envelope or Federal Express package, etc.

Please indicate on envelope if this is a "no bid".

Failure to comply with any of the above conditions may be grounds to reject the offending vendor's bid.

I certify by the signing of this invitation to bid that the prices offered to Florida State University on the items included are less than or equal to those offered other state universities for the same or similar items.

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NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline: Landscape Architect (1) (Tampa and Lakeland Campuses).

Projects included in the scope of this agreement will be specific projects for new construction, renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1, 2003 to June 30, 2004. Award of contract is for an initial period of one (1) year with an Owner's option to renew for one (1) additional year. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The university may have additional continuing service professionals under contract during the same time period.

Firms desiring to provide professional services shall submit a letter of interest specifying the discipline for which they are applying and a completed "USF Professional Qualifications

Supplement for Landscape Architect" dated April 2003. Proposals must not exceed 40 pages, including the "Professional Qualifications Supplement" and letter of interest. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

Attach to each letter of interest:

1. The "USF Professional Qualifications Supplement for Landscape Architect" dated April 2003 completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; volume of work; and distance from project.

The plans and specifications for University of South Florida 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.

The "Professional Qualifications Supplement" and Project Fact Sheet which includes project information may be obtained by contacting: Kathy Bennett, Contracts Administrator, University of South Florida, Facilities Planning and Construction, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, Phone (813)974-3098, (813)974-2625, or Fax (813)974-3542.

All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 10:00 a.m., Eastern Time, on Wednesday, May 28, 2003, University of South Florida, Facilities Planning and Construction, Conference Room 109, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the applicants and the employees of University of South Florida except as provided at the pre-submittal meeting,

the pre-interview meeting and the request for the PQS and Fact Sheet. Requests for any project information must be in writing to the above address.

Six (6) bound copies of the above required proposal data shall be submitted to: Richard B. Lyttle, RA, Project Manager, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned.

Submittals must be received at the above campus address (4202 East Fowler Avenue, FPC110, Tampa, FL) by 2:00 p.m., Eastern Time, on Friday, June 13, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered. The Selection Committee may reject all proposals and stop the selection process at any time.

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#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University, on behalf of the Florida Gulf Coast University Board of Trustees, announces that professional services for minor projects are required in the following disciplines(s):

Architecture and Engineering

Project and Location: Florida Gulf Coast University, Fort Myers, Florida

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

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

Attached to each letter of application:

1. A completed Board of Regents "Professional Qualification Supplement", February 1999. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit Five 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 information will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.017, Florida Statutes, a consultant may not submit a proposal for this project, if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained by contacting: Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565, (239)590-1500, Fax (239)590-1505

Submittals must be received in the Facilities Planning Office by 3:00 p.m., local time on June 16, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

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#### 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>

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Duval County Public Schools – Facilities  
 Planning and Construction  
 1701 Prudential Drive  
 Jacksonville, FL 32207-8182  
 Contractor Prequalification

The Duval County Public Schools is prequalifying all contractors who intend to submit bids for Construction Projects exceeding \$200,000 and Electrical Projects exceeding \$50,000. Prequalifying becomes effective May 31, 2003, bids will not be accepted from contractors who are not prequalified with Duval County Public Schools after May 31, 2003.

Forms and information may be obtained by contacting: Richard Beaudoin or Ronald A. Fagan at 1701 Prudential Dr., Jacksonville, FL 32207, (904)390-2358 or (904)390-2922 Fax (904)390-2265, e-mail: BeaudoinR@educationcentral.org or Faganr@educationcentral.org.

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**DEPARTMENT OF ELDER AFFAIRS**

REQUEST FOR PROPOSAL  
CCE LEAD AGENCY AND CASE  
MANAGEMENT SERVICES  
PROPOSAL #2003-1

The Area Agency on Aging of Central Florida, Inc. dba Senior Resource Alliance, requests proposals for 2003-04 Community Care for the Elderly(CCE) Lead Agency and Case Management services to be provided in Orange, Osceola, and Seminole Counties. The designated Lead Agency will provide Case Management services, and coordinate provision of social services to targeted clients. Funding available for Orange County is \$190,523 for Case Management and \$168,108 for Lead Agency Administration; for Seminole County is \$71,720 for Case Management and \$63,282 for Lead Agency Administration; for Osceola County is \$43,507 for Case Management and \$38,388 for Lead Agency Administration. Services to be coordinated by the Lead Agency include, but are not limited to: Adult Day Care, Homemaker, Personal Care, Respite, and Emergency Alert Response. The Lead Agency will function as a broker of services and perform other ancillary functions related to administration of the CCE program. The initial contract period is September 1, 2003 – June 30, 2004. Proposals are due no later than 3:00 p.m. EDT, June 13, 2003 and should be sent to the Senior Resource Alliance, 988 Woodcock Rd., Suite 200, Orlando, FL 32803. Request for Proposal documents may be obtained at the above address on or after May 16, 2003 or by calling (407)228-1800.

**DEPARTMENT OF MANAGEMENT SERVICES****NOTICE REGARDING ELECTRONIC POSTING**

Pursuant to Section 287.042(3)(b)2., Florida Statutes, the Department of Management Services hereby provides notice of the following URL for the centralized website that will be used for electronically posting solicitations, decisions or intended decisions, and other matters relating to procurement:

[http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu)

Viewers may navigate to this URL via the State portal, [www.myflorida.com](http://www.myflorida.com); from the main page, drill down as follows: Business; Doing Business with the State; Vendor Bid System (VBS).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION****BID NO. BDRS 62-02/03**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the completion of milling and resurfacing of the park roadway and construct 15 new asphalt parking spaces and one concrete handicap parking space at Torreya State Park in Bristol, Florida. Sealed bids will be received until 3:30 p.m., Tuesday,

June 24, 2003. Minority businesses are encouraged to participate. The Department reserves the right to reject any or all bids. 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."

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**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

The Bureau of Historic Preservation of the Florida Department of State announces the availability of forms for application for designation as a 2003 Florida Main Street Community. A maximum of three communities will receive Florida Main Street Designation in 2003.

Complete applications must be delivered to the Florida Main Street Program, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, no later than 5:00 p.m. or postmarked and mailed or submitted (with evidence) to an express mail service on or before 12:00 midnight, July 25, 2003.

Applications are available by contacting Miss Laura Lee Corbett, Florida Main Street Coordinator, at the above address or by calling 1(800)847-7278.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**NOTICE OF APPROVAL FOR  
FLORIDA FOREVER FUNDS**

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Florida Forever Program, Series FF1 funding cycle. The project plan listed below was approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to execute the agreements for acquisition of the project site and all other documents necessary to close the project and that funds be released as follows:

Project: 01-047-FF1/Plantation Central Open Space

Grantee: City of Plantation

Amount of Approved Funds: the lesser of 50.00% of the final total project costs or \$4,402,000.00

**NOTICE OF ADMINISTRATIVE HEARING RIGHTS**

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or

oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, DaimlerChrysler Motors Company intends to allow the establishment of Turnpike Chrysler, Jeep & Dodge, LLC d/b/a Allstar Chrysler Jeep Dodge., as a dealership for the sale of Dodge motor vehicles, at a location in Osceola County, St. Cloud, Florida, which is located along the northeast side of U.S. Highway 192, which is bounded by the Florida Turnpike along the southwest boundary of the subject site, on or after April 1, 2003. The legal description of this property is as follows:

Beginning at the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of Section 29, Township 25 South, Range 30 East, Osceola County, Florida, Run North Along the West Line of Said Southeast 1/4 of the Southwest 1/4, to a Point 681.80 Feet, South of the Northwest Corner of Said Southeast 1/4 of Southwest 1/4; Run Thence East to the West Right of Way Line of Florida's Turnpike; Run Southeasterly, Along Said Turnpike Right of Way to a Point 1611.84 Feet, Northwesterly From the Intersection of Said West Right of Way Line and the North Right of Way Line of U.S. Highway No. 441-192; Run Thence West, Parallel to the North Line of the Charles Cotton Lands, to the Easterly Right of Way Line of U.S. Highway No. 441-192; Run Thence Northwesterly, Along Said Right of Way to the West Line of the Northeast 1/4 of the Northwest 1/4 of Section 32, Township 25 South, Range 30 East; Run Thence North 00°40' West, 720.06 Feet to the Point of Beginning.

Being More Particularly Described As:

Beginning at the Southwest Corner of the Southeast 1/4 of the Southwest 1/4 of Section 29, Township 25 South, Range 30 East, Osceola County, Florida; Thence Run North Along the West Line of Said Southeast 1/4 of the Southeast 1/4, A Distance of 294.11 Feet to a Point 1036.80 Feet, South of the Northwest Corner of Said Southeast 1/4 of the Southwest 1/4; Run Thence S 89°28'58" E, Parallel to the North Line of Said Southeast 1/4 of the Southwest 1/4, 659.57 Feet to the Westerly Right of Way Line of Florida's Turnpike; Run Thence Southeasterly, Along Said Right of Way Line, On a 8394.37 Foot Radius Curve to the Left, 924.55 Feet, Have a Chord Which Bears S 13°01'04" E, A Chord Distance of 924.10 Feet, To the Point of Tangent; Run Thence S 09°51'45" E, Along Said Right of Way Line, A Distance of 859.71 Feet; Thence Departing Said Right of Way Line, Run N 89°39'24" W a Distance of 669.26 Feet, To the Easterly Right of Way Line of U.S. Highway No. 441-192; Run Thence Northwesterly, Along Said Right of Way Line, On a 9381.44 Foot Radius Curve to the Right, 89.92 Feet, Having a Chord Which Bears N 25°09'11" W a Chord Distance of 82.92 Feet, To the Point of Tangent; Run Thence N 24°37'32" W, Along Said Right of Way Line, A Distance of 747.55 Feet to the West Line of the Northeast 1/4 Section 32, Township 25 South, Range 30 East, Osceola County, Florida; Run Thence N 00°05'04" E, Along Said Right of Way Line, Distance of 700.57 Feet to the Point of Beginning.

The name and address of the dealer operator(s) and principal investor(s) of Turnpike Chrysler, Jeep & Dodge, LLC d/b/a Allstar Chrysler Jeep Dodge are dealer operator(s) and principal investor(s): Alan Starling, 2499 N. Orange Blossom Trail, Kissimmee, FL 34744.

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: P. A. Licina, Director-Orlando Business Center, DaimlerChrysler Motors Company, 10300 Boggy Creek Rd., CIMS 200-01-10, Orlando, FL 32824.

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, BMW of North America, LLC, intends to allow the establishment of Pompano Imports, Inc. d/b/a Vista Motor Company, as a dealership for the sales and service of BMW motor vehicles, at 744 N. Federal Highway, Pompano Beach, (Broward County), Florida 33062, on or after June 30, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Pompano Imports, Inc. d/b/a Vista Motor Company are dealer operator(s): Charles Dascal, 1470 Daytonia Road, Miami Beach, FL 33141; principal investor(s): Charles Dascal, 1470 Daytonia Road, Miami Beach, FL 33141 and Larry Hoffman, 3525 Bayshore Villa, Miami, FL 33133.

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: Edward Huzyak, Business Development Manager, BMW of North America, P. O. Box 1227, Westwood, NJ 07675-1227.

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.

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### FLORIDA FINDING OF NO SIGNIFICANT IMPACT

The Florida Department of Environmental Protection has determined that the proposed Fort Lauderdale wastewater collection, pumping, transmission, and treatment facilities will not have a significant adverse affect on the environment.

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

For more information regarding the Florida Finding of No Significant Impact, please call: Troy M. Mullis, (850)245-8358.

### FLORIDA CATEGORICAL EXCLUSION NOTIFICATION

The Florida Department of Environmental Protection has determined that the project involving stormwater improvements for the Town of Ocean Ridge will not adversely affect the environment.

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

For more information regarding the Categorical Exclusion Notification, please call: Troy Mullis, (850)245-8358.

## 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: Administrative Health Service Components – requiring that such components, as defined in this policy, are implemented/maintained as part of the health service delivery system at each DJJ secure detention center and residential commitment program/correctional facility ("DJJ facility"), including those owned and/or operated by the Department or privately contracted by the Department. This is the second of two – 20 working day review and comment

periods, with a Matrix of Comments from the first review period also being posted. Please submit comments to the contact persons identified on the above Website. The closure date for submission of comments on this policy is June 2, 2003. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

**DEPARTMENT OF HEALTH**

On May 6, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Jerome Waters, M.D., license number ME 7236. This Emergency Restriction Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF FINANCIAL SERVICES**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Institutions and Securities Regulation has received the following applications. Comments may be submitted to the Deputy Director, Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Institutions and

Securities Regulation, 200 East Gaines Street, Tallahassee, Florida, 32399-0379, pursuant to provisions specified in 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., June 6, 2003):

**APPLICATION FOR CONVERSION OF  
A FEDERAL SAVINGS ASSOCIATION  
TO A STATE BANK**

Applicant and Location: Sterling Bank, F.S.B., 1189 Hypoluxo Road, Lantana, Florida

With Title: Sterling Bank

Received: April 29, 2003

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: Advantage Bank, North Palm Beach, Florida

Proposed Acquirer: 1st United LLC (Warren Orlando, John Marino and Rudy Schupp) and Advantage Bankshares, Inc., North Palm Beach, Florida

Received: April 29, 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](http://www.dbf.state.fl.us/banking/cu_expansion.html).

Name and Address of Applicant: Railroad and Industrial Credit Union, 3710 North 50th Street, Tampa, Florida 33675-5125

Expansion Includes: Employees of Fred’s Market Restaurant and Café of Plant City; and Planscape, Inc., of Dover, Florida.

Received: April 30, 2003

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN April 28, 2003  
 and May 2, 2003

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF EDUCATION**  
**State Board of Education**

6A-1.0014	4/29/03	5/19/03		29/11
6A-1.094221	4/29/03	5/19/03		29/11
6A-14.072	4/29/03	5/19/03		29/11

**University of West Florida**

6C6-4.008	4/28/03	5/18/03		Newspaper
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**Florida School for the Deaf and the Blind**

6D-14.002	4/29/03	5/19/03		29/3
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**PUBLIC SERVICE COMMISSION**

25-17.0832	4/28/03	5/18/03	29/7	29/14
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**DEPARTMENT OF CORRECTIONS**

33-603.101	4/30/03	5/20/03		29/11
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**DEPARTMENT OF MANAGEMENT SERVICES**

**State Technology Office**

60DD-1.001	5/2/03	5/22/03		29/13
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

61H1-21.001	5/1/03	5/21/03	28/45	29/12
61H1-29.003	4/29/03	5/19/03	29/10	

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-621.100	5/2/03	5/22/03	29/9	29/15
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**DEPARTMENT OF HEALTH**

**Board of Medicine**

64B8-30.003	4/29/03	5/19/03		29/12
64B8-30.014	4/29/03	5/19/03		29/12

**Board of Orthotists and Prosthetists**

64B14-4.004	5/2/03	5/22/03		29/14
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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

65C-17.001	4/28/03	5/18/03	28/48	29/11
65C-17.002	4/28/03	5/18/03	28/48	
65C-17.003	4/28/03	5/18/03	28/48	
65C-17.006	4/28/03	5/18/03	28/48	29/11