

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: Fertilizers RULE CHAPTER NO.: 5E-1

RULE TITLE: Methods of Analyses RULE NO.: 5E-1.014

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the revision date of the Fertilizer Laboratory Methods Manual that is adopted by reference in the rule. Also to further clarify the address for obtaining the referenced manual.

SUBJECT AREA TO ADDRESSED: The adoption by reference of the modified Fertilizer Laboratory Methods Manual.

SPECIFIC AUTHORITY: 576.181(2), 570.07(23), 576.051(7) FS.

LAW IMPLEMENTED: 576.051(2),(3),(7) 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., July 28, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ms. Leigh Humphreys, Chief, Bureau of Feed, Seed and Fertilizer Laboratories, Department of Agriculture and Consumer Services, Room 130, 3125 Conner Blvd., Tallahassee, FL 32399-1650

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-1.014 Methods of Analyses.

All methods of analyses for commercial fertilizers shall be those in the State of Florida, Department of Agriculture and Consumer Services, Fertilizer Laboratory Methods Manual, (Eff. 5/20/03 3/18/96), which is hereby incorporated by reference. Copies may be obtained from the Division of Agricultural Environmental Services, Bureau of Feed, Seed and Fertilizer Laboratories, 3125 Conner Boulevard, Building 7, Tallahassee, Florida 32399-1650.

Specific Authority 576.181(2), 570.07(23), 576.051(7) FS. Law Implemented 576.051(2),(3),(7) FS. History-New 1-23-67, Amended 1-1-77, 7-22-79, 4-23-80, 10-27-80, 4-20-81, 10-18-81, 4-4-83, 11-16-83, 1-23-85, 6-19-85, Formerly 5E-1.14, Amended 11-16-86, 10-12-87, 9-26-88, 11-19-89, 3-28-91, 8-3-93, 7-9-95, 10-25-98,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: Entomology – Pest Control REGULATIONS RULE CHAPTER NO.: 5E-14

RULE TITLES: Definitions RULE NOS.: 5E-14.102

Responsibilities and Duties – Records Reports, Advertising, Applications 5E-14.142

PURPOSE AND EFFECT: The rule amendment would define wood destroying fungi to exclude surface molds that do not cause damage to wood and allow a disclaimer to be added to the wood destroying organism inspection report regarding opinions about health effects from mold infestation.

SUBJECT AREA TO BE ADDRESSED: Defining wood destroying fungi and allowing a disclaimer to be added to the wood destroying organism inspection report regarding opinions about health effects from mold infestation.

SPECIFIC AUTHORITY: 482.051 FS.

LAW IMPLEMENTED: 482.051, 482.061, 482.071, 482.091, 482.111, 482.161 FS.

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

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

PLACE: Conference Room “D”, Hurston South Tower, 400 West Robinson Street, Orlando, Florida 32810

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Steven Rutz, Director, Department of Agriculture and Consumer Services, Room 130, 3125 Conner Blvd., Tallahassee, Florida 32399-1650

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-14.102 Definitions.

(1) through (16) No change.

(17) “Wood decaying fungi” – Fungi, such as those that produce white rot, brown rot, and cubical rot, that contain the enzymes necessary to degrade cellulose in wood and that can cause damage to wood, not including surface molds that do not cause damage to sound wood.

Specific Authority 482.051 FS. Law Implemented 482.051(1) FS. History-New 1-1-77, Amended 6-27-79, 6-22-83, Formerly 10D-55.102, Amended 8-11-93, 6-12-02, 4-17-03,_____.

5E-14.142 Responsibilities and Duties – Records Reports, Advertising, Applications.

(1) through (2)(b) No change.

(c) Termite or other wood-destroying organism inspection report:

Pursuant to Sections 482.226(1),(2),(4) and (5), F.S., each licensee having a certified operator in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings on the Wood-Destroying Organisms Inspection Report prescribed by the Department and furnished by the licensee, DACS 13645, rev. 3/02, which is incorporated by reference. The licensee shall not place any disclaimers or additional language on the Wood Destroying Organisms Inspection Report, except that a disclaimer stating that the licensee is providing no opinion on health effects or indoor air quality associated with presence of any form of fungi, can be added. The licensee shall inspect for all wood-destroying organisms as defined in Section 482.021(28), F.S. and subsection 5E-14.102(17), F.A.C., in accordance with the following inspection standards:

- 1. through 2. No change.
- 3. Visible damage to wood will be reported whether caused by insects, fungi, or any other organism.

Specific Authority 482.051 FS. Law Implemented 482.061, 482.071, 482.091, 482.111(5),(9), 482.161(1)(g), 482.226(1),(6) FS. History--New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03,_____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Inspection of DOT Cylinders

RULE NO.: 5F-11.029

PURPOSE AND EFFECT: The purpose of this new rule is to provide criteria for inspection and record keeping with regard to propane containers manufactured under United States Department of Transportation specifications and which are not in commerce.

SUBJECT AREA TO BE ADDRESSED: This rule will address the criteria for the inspection of propane containers manufactured under the United States Department of Transportation specifications and which are not in commerce.

SPECIFIC AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-11.029 Inspection of DOT Cylinders.

(1) This section pertains to cylinders, which are manufactured to U.S. Department of Transportation (DOT) specifications. DOT cylinders in stationary service that are filled on site, which are not under the jurisdiction of DOT and not requalified according to DOT requirements, shall be inspected according to the following visual inspection criteria:

(a) The cylinder is checked for exposure to fire, dents, cuts, digs, gouges and corrosion according to requirements of Section C.3.2, Appendix C, of NFPA 58.

(b) The cylinder protective collar (where utilized) and the foot ring are intact and are firmly attached.

(c) The cylinder is painted or coated to retard corrosion.

(d) The cylinder pressure relief valve indicates no visible damage, corrosion of operating components, or obstructions.

(e) There is no leakage from the cylinder or its appurtenances that is detectable without the use of instruments.

(f) The cylinder is installed on a firm foundation and is not in contact with the soil.

(g) A cylinder that passes the visual examination shall be legibly marked with the date and year of the examination followed by the letter "E" (example:10-1E indicating requalification in October 2001 by the external visual inspection method.)

(h) The results of the visual inspection shall be documented and a record of the inspection shall be retained for a five-year period.

(2) Any cylinder that fails one or more of the criteria in this section shall not be refilled or continued in service until the condition is corrected. Stationary cylinders shall be visually inspected within 12 years of the date of manufacture and within five years after each subsequent visual inspection.

(3) All DOT cylinders in stationary service on the effective date of this rule, and which are not requalified according to U.S. Department of Transportation standards, shall be inspected according to the criteria of this section no later than January 1, 2008.

(4) Personnel trained and qualified to perform inspection procedures, with such training documented in accordance with Rule 5F-11.060, Florida Administrative Code, shall conduct the visual inspection.

Specific Authority 527.06 FS. Law Implemented 527.06 FS. History--New _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE TITLE: Adoption of Federal Regulations and Other Standards

RULE NO.: 5K-4.002

PURPOSE AND EFFECT: The rule amendment adopts by reference current, revised and renumbered sections of Titles 7, 9, 19, 21 and 40, Code of Federal Regulations, 2003 (CFR). Earlier editions of the CFR have been previously adopted and used by the Department in regulating food and food establishments. The rule amendment adopts new sections of Title 7, Code of Federal Regulation, federal standards for fresh fruit and vegetables, grading of shell eggs, inspection of eggs and egg products and grading of poultry products. The rule amendment deletes previously adopted sections of Title 7, regarding grading standards for meats. The rule amendment adopts by reference new sections of Title 9, Code of Federal Regulations, federal standards for cooking pork sausage. The rule amendment adopts by reference, Part 134 of Title 19, Code of Federal Regulations, a federal regulation requiring country of origin labeling on imported juices and juice concentrate. The rule amendment adopts by reference Part 1240 of Title 21, Code of Federal Regulations, a federal standard for control of communicable diseases, and deletes other Parts. The rule amendment adopts by reference sections of Part 180 of Title 40, Code of Federal Regulations, federal standards for pesticide tolerances in food and animal feed, and deletes other Parts previously adopted. The rule amendment deletes all previously adopted Parts of Title 50, Code of Federal Regulations; these are related to the activities of the National Marine Fisheries Service. The rule amendment adopts by reference the Model Consumer Commodity Salvage Code. The rule amendment deletes previously adopted provisions of the Federal Register, regarding safe and sanitary procedures for fish processing and importing which have been replaced by Title 21, Code of Federal Regulations, and adopted in this rule. Finally, the rule amendment updates the Department's base sanitation code by adopting by reference the U.S. Food and Drug Administration (USFDA) "Food Code" (2001 Edition), with some exclusions.

SUBJECT AREA TO BE ADDRESSED: Adoption by reference of the Code of Federal Regulation, pertaining to agricultural products, animal products, food products, protection of the environment, and labeling and customs issues. The rule amendment addresses regulatory action levels for food defects in accordance with USFDA standards. The rule amendment addresses sanitation criteria, standards and requirements for food salvage operations. The rule amendment adopts by reference the USFDA Food Code (2001), published by the U.S. Public Health Service, with certain exceptions.

SPECIFIC AUTHORITY: 500.09, 500.12, 570.07(23) FS.

LAW IMPLEMENTED: 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 500.12(4)(a), 500.13, 500.171, 500.172, 500.177 FS.

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

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

PLACE: George Eyster Auditorium, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bobby Bickley, 3125 Conner Blvd., Suite H, Tallahassee, Florida 32399-1650, (850)488-3951

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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

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

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

~~(a)4. Code of Federal Regulations Title 7 – Agriculture, Parts 51, Sections 51.2-51.3, 51.100-51.6005, 51.300-51.3749, Part 52, Sections 52.2-52.3, 52.201-52.6582, 52.771-52.3764, 54.1-54.2, 54.16-54.18, 54.102-54.137, Part 55, Sections 55.1-55.2, 55.5, 55.300-55.390, 55.600-55.650, 55.800-55.820, Part 56, Sections 56.1-56.2, 56.4-56.234, 56.35-56.37, 56.39-56.41, 56.75-56.77, Part 57, Sections 57.1, 57.5, 57.35, 57.45, 57.50, 57.410, 57.504, 57.800-57.860, 57.900-57.970, 59.122-59.134, 59.140-59.240, 59.400-59.970, Part 70, Sections 70.1-70.2, 70.50-70.55, 70.80-70.81, 70.110, 70.4, 70.10-70.14, 70.16-70.92 and 70.110-70.332, revised as of January 2003 ~~January 1, 1995;~~~~

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

~~(c) Code of Federal Regulations Title 19 – Custom Duties, Part 134.~~

~~(d)3-~~ Code of Federal Regulations Title 21 – Food and Drugs, Parts 1, 2, 7, 70, 73-74, 100-190 and 100-199, and 1240, revised as of April, 2003; April 1, 1995;

~~(e)4-~~ Code of Federal Regulations Title 40 – Protection of Environment, Parts 180, Sections 180.1-180.6, 180.40-180.2020, 180, 185 and 186, revised as of July, 2003, July 1, 1995;

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

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

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

~~(2)(b)~~ The action levels for food defects declared by the United States Food and Drug Administration and referenced in FDA/CFSAN Defect Action Level Handbook, The Food Defect Action Levels, May 1995 (Revised May 1998), are hereby adopted by reference as administrative rules under Chapter 500, F.S.. Copies of the handbook may be obtained from the U.S. Food and Drug Administration, Industry Activities Staff (HFS-565), Center for Food Safety and Applied Nutrition, 200 C Street, S.W., Washington, D.C. 20204. The handbook is also available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Suite H, Tallahassee, Florida 32399-1650. Section 50,280 of Food, Drug and Cosmetic Law Reports as of March 19, 1990, the action levels for poisonous or deleterious substances in human food and animal feed declared by the United States Food and Drug Administration and referenced in Section 50,285 of Food, Drug and Cosmetic Law Reports as of March 11, 1996, and the Metric Labeling Standards declared by the United States Food and Drug Administration and referenced in Section 50,290 of Food, Drug and Cosmetic Law Reports as of January 24, 1994.

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

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

(b) The “Model Consumer Commodity Salvage Code (November 2002).” provisions and requirements of Chapter 1, paragraph 1-102, through Chapter 10, paragraph 10-102, of the “Model Food Salvage Code-1984,” jointly published by the

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

(c) The excluded Section 1-102(B), definition of “Consumer Commodity” is replaced with the following definition: “Consumer commodity” means any food, beverage, dietary supplement, animal food (pet food), single service food containers or utensils, soda straws, paper napkins, or any other product of a similar nature. It also may include animal feed when handled at the same facility as other consumer commodities. This definition includes salvage caused by disasters which could include animal feeds which are handled differently than “animal food” which is destined for consumption by pets (e.g., cans of cat food, broken bags of dry dog food).

(d) Interested persons may obtain copies of the Model Consumer Commodity Salvage Code (November 2002), ~~this code~~ by contacting the Association of Food and Drug Officials, 2550 Kingston Road, Suite 311, Post Office Box 3425, York, PA, 17402, and copies are available for examination at the Florida Department of Agriculture and Consumer Services, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Blvd., Suite H, Tallahassee, Florida 32399-1650.

~~(4)(3)~~ Regulatory Action Limits (RAL) – Pesticide Residues.

(a) “Comparable product” is defined as a product that belongs to the same general category of raw agricultural commodity as defined in 40 C.F.R. 180.41 (2002) ~~(1995)~~.

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

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

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

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

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

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

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

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

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

~~(5)(4)~~ Food Code – Provisions Adopted.

(a) Chapters 1-7 of the “Food Code ~~2001~~ 1999” published by the U.S. Public Health Service of the U.S. Department of Health and Human Services (~~2001~~ 1999), are hereby adopted by reference as ~~a~~ administrative rules ~~rule~~ under Chapter 500, F.S., except for the following provisions:

1. ~~Subpart 1-201.10(B) (31), (32), (87) (36), (37), and (95)~~

~~2. 2-102.11~~

~~3. Subpart 3-304.14(B)(2)~~

~~3. The 7° Centigrade (45° Fahrenheit) requirement allowed in Subparts 3-501.12(A), 3-501.13(A), 3-501.13(B)(3), 3-501.13(B)(4), 3-501.13(B)(4)(b), 3-501.14(A)(2), 3-501.14(B), 3-501.14(C), 3-501.14(D), 3-501.16(A)(2)(b), 3-501.17(A)(2)~~

~~4. Subparts 4-301.12(C)(5), 4-301.12(D), 4-301.12(E)~~

~~5. 4-203.11(C)~~

~~5. 5-402.12~~

~~6. 6-202.110~~

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

~~(c)(b) Existing mechanical refrigeration units which are being utilized to maintain potentially hazardous food at 7° C (45° F) or below and are otherwise in good repair shall have until September 8, 2002, to comply with the requirements of 5° C (41° F) or below as stated in section 3-501.16 of the “Food Code 1999”. Mechanical refrigeration units in new and extensively remodeled food establishments are required to maintain foods at 5° C (41° F) or below, as stated in section 3-501.16 of the “Food Code 1999”. When a mechanical~~

~~refrigeration unit must be replaced, the replacement unit must comply with temperature requirements of 5° C (41° F) or below for potentially hazardous food. The term “extensively remodeled” as used in this rule means “structural changes to an existing food establishment which cost in excess of 50% of the assessed value of the establishment as determined by the county property appraiser”.~~

~~(6)(5)~~ Other Standards.

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

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

Specific Authority ~~500.09, 500.12(1)(f), 500.12(5)(d), 500.12(6), 500.165, 500.303, 500.304, 500.12(1)(d), 570.07(23) FS. Law Implemented 500.02, 500.03, 500.032, 500.04, 500.09, 500.10, 500.11, 500.12(4)(a), 500.121, 500.13, 500.165, 500.172, 500.301, 500.303, 500.511 FS. History—Revised 3-1-72, Amended 12-31-74, 1-18-83, 6-17-85, Formerly 5E-6.02, Amended 7-25-88, 4-13-92, Formerly 5E-6.002, Amended 8-8-95, 9-9-96, 12-10-96, 4-10-97, 9-8-97, 11-15-99.~~

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE: Base Funding for County Emergency Management Agencies, Emergency Management Competitive Grant Program and Municipal Competitive Grant Program Rule

RULE CHAPTER NO.: 9G-19

RULE TITLES: Procedures for Awarding Competitive Grants
Selection Criteria for Competitive Grants Disbursement
PURPOSE AND EFFECT: Implementation of the proper revisions and changes that are needed to identify and clarify rule language in areas of concern from past Base Grant and Competitive Grant programs. These changes will simplify existing language that will make the grant process easier for all parties involved.

RULE NOS.: 9G-19.008
9G-19-009
9G-19.010

SUBJECT AREA TO BE ADDRESSED: Changes to the Base Grant and Competitive Grant program.

SPECIFIC AUTHORITY: 252.35, 252.373 FS.
LAW IMPLEMENTED: 216.052, 252.35, 252.373, 252.38 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m. – 10:30 a.m., August 4, 2003
PLACE: Department of Community Affairs, Director’s Conference Room, Room 120L, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100
Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact the Administrative Secretary, Division of Emergency Management, Bureau of Compliance Planning, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399 or (850)413-9821 Suncom 293-9821, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Debbie Wonsch, Planning Manager, Finance and Logistic Section, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399-2100, (850)413-9894 or Suncom 293-9894

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9G-19.008 Procedures for Awarding Competitive Grants.

(1) through (2) No change.

(3) The Department hereby adopts by reference the Emergency Management, Preparedness, and Assistance Trust Fund Competitive Grant Program Application Packet, Form No. ~~008 007, July 2003 June 2002~~ version, which provides forms, instructions, and other information necessary for submission of an application for Competitive Grant funds submitted pursuant to Rule 9G-19.008, F.A.C.

(4) No change.

(5) All applications shall conform to the following requirements, and shall be reviewed for technical conformity in accordance with the following procedures:

(a) All applications shall adhere to the format specified in the Application Packet, Form No. ~~008 007, July 2003 June 2002~~ version.

(b) through (e) No change.

(6) through (8) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 11-10-97, 10-14-98, 10-11-00, 10-22-02, _____.

9G-19.009 Selection Criteria for Competitive Grants.

(1) No change.

(2) Applications shall be scored by the review committee independently and the scores shall be totaled and averaged. Thereafter, the committee shall evaluate the scores and arrive at preliminary scores and rankings. Preliminary scores and rankings shall be prepared within each category based upon the total number of points earned with the overall highest number of points determining priority for funding. The review

committee shall, within 75 days of the application deadline date, ~~post transmit~~ preliminary scores and rankings on the Division of Emergency Management website, www.floridadisaster.org ~~to all Applicants~~, along with any administrative proceeding rights. Upon determination, final scores and rankings will be posted on the Division of Emergency Management website, www.floridadisaster.org ~~shall be transmitted to all Applicants in writing~~. Funds shall be offered to the Applicant with the overall highest score, then to the Applicant with the next overall highest score, and so on, until all funds have been offered and accepted, or all eligible applications have been funded, or insufficient funds remain to fund an eligible project. The Department may offer to fund all or part of the project or all or part of the amount requested in an application. Applicants shall be given 21 days to accept or reject a proposed award. Written notice of acceptance shall be delivered to the Division offices designated in the notice of award along with a complete proposal, revised budget, timeline and a list of project items. In the event that an Applicant fails to accept or reject a proposed award offered for the Emergency Management Competitive Grant Program within the specified time, then the funds offered shall revert to the Trust Fund. In the event that an Applicant fails to accept or reject a proposed award offered for the Municipal Competitive Grant Program within the specified time, then the funds shall be reallocated in accordance with the provisions of subsections 9G-19.006(1)-(3), F.A.C.

(3) through (8) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 252.35, 252.373, 252.38 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, 10-11-98, 10-11-00, 10-22-02, _____.

9G-19.010 Disbursement.

(1) through (5) No change.

(6) Upon written request and accompanying documentation detailing exceptional circumstances justifying the need, and at the discretion of notification to the Division, not later than July 31 of each year, Base Grant Recipients receiving trust funds may carry forward up to twenty-five (25) percent of a single year grant award to the next fiscal year.

(7) through (11) No change.

Specific Authority 252.35, 252.373 FS. Law Implemented 216.052, 252.35, 252.373, 252.83 FS. History—New 1-12-94, Amended 6-21-95, 11-13-96, _____.

DEPARTMENT OF LAW ENFORCEMENT

Office of Inspector General

RULE CHAPTER TITLE: Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account

RULE CHAPTER NO.:

11N-1

RULE TITLE: Limitations on Violent Crime Investigative Reimbursement Funding

RULE NO.:

11N-1.003

PURPOSE AND EFFECT: To expand the date that violent crime investigations are authorized to receive reimbursement from the Violent Crime and Drug Control Council.

SUBJECT AREA TO BE ADDRESSED: Violent Crime Investigative Funding.

SPECIFIC AUTHORITY: 943.03(4), 943.042 FS.

LAW IMPLEMENTED: 943.031, 943.042 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, August 5, 2003

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Persons needing an accommodation to participate in any proceeding should call (850)410-7900 (Voice) or (850)656-9597 (TDD), at least five working days before such proceeding.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joyce Gainous-Harris, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

11N-1.003 Limitations on Violent Crime Investigative Reimbursement Funding.

(1) Requests for Violent Crime Investigative Reimbursement Funding.

(a) through (e) No change.

(f) Funding provided under this section from the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account ~~is available only for investigations of violent crime incidents which occurred on or after July 1, 1993. Such funding~~ shall not be used to supplant, take the place of, or substitute for existing appropriations of state and local law enforcement agencies and counties.

(2) No change.

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

(c) ~~No~~ Reimbursement shall be available only for funding for expenses incurred in an agency's current fiscal year, and shall not be provided for expenses incurred in an agency's previous fiscal years shall be provided.

Specific Authority 943.03(4), 943.042 FS. Law Implemented 943.031, 943.042 FS. History—New 3-10-94, Amended 10-10-95, 10-25-01, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Trust Fund

RULE NO.: 33-203.201

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

SUBJECT AREA TO BE ADDRESSED: Inmate Trust Fund.

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.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-203.201 Inmate Trust Fund.

(1) The following are the policies of the Department with respect to money received for the personal use or benefit of inmates:

(a) through (e) No change.

(f) Interest earned on these investments and on the central Inmate Trust Public Funds Interest Checking Account or any local accounts shall be deposited to the General Revenue ~~Inmate Welfare Trust Fund to be expended for the benefit of the inmate population in general.~~

(2) 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, 7-13-03, _____.

DEPARTMENT OF CORRECTIONS

| RULE TITLES: | RULE NOS.: |
|--|------------|
| Inmate Visiting – Definitions | 33-601.713 |
| Inmate Visiting – General | 33-601.714 |
| Visiting Application Initiation Process | 33-601.715 |
| Visiting Record Management | 33-601.716 |
| Visiting Denial | 33-601.717 |
| Review of Request for Visiting Privileges | 33-601.718 |
| Visiting by Former and Current Department and Contract Employees | 33-601.719 |
| Sex Offender Visiting Restrictions | 33-601.720 |
| Visitor Conduct | 33-601.727 |
| Denial or Termination of Visits | 33-601.729 |
| Revocation or Suspension of Visiting Privileges | 33-601.731 |
| Reinstatement of Revoked or Suspended Visiting Privileges | 33-601.732 |
| Special Visits | 33-601.736 |
| Visiting – Forms | 33-601.737 |

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to reassign responsibility for review of visiting applications and suspension and termination of visiting privileges from central office to institutional staff, to delete obsolete language, to correct staff titles associated with inmate visiting, and to provide clarification of definitions and criteria related to inmate visiting.

SUBJECT AREA TO BE ADDRESSED: Inmate visiting.
 SPECIFIC AUTHORITY: 20.315, 944.09, 944.115, 944.23 FS.
 LAW IMPLEMENTED: 944.09, 944.115, 944.23, 944.8031 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-601.713 Inmate Visiting – Definitions.
- (1) through (2) No change.
- ~~(3) “Central Visiting Authority (CVA)” refers to the section within the Bureau of Classification and Central Records responsible for the management of inmate visiting procedures, visiting records, and fact based decisions on visiting requests.~~
- ~~(3)(4) No change.~~

~~(4)(5)~~ “Institutional Classification Team (ICT)” refers to the team appointed by the warden responsible for making local classification decisions as defined in rule and procedure. The ICT shall be comprised of a senior classification officer or higher and security member of the rank of correctional officer lieutenant or higher the warden or assistant warden who shall serve as chairperson, classification supervisor, chief of security, and other members when appointed by the warden or designated by rule.

~~(5)(6)~~ “Immediate Family” refers to an inmate’s spouse, children, parents, brothers, sisters, grandparents, great grandparents, grandchildren, stepbrothers, stepsisters, stepparents, step-grandparents, aunts, uncles, foster parents, stepchildren, half brothers, half sisters, brothers-in-law, sisters-in-law, mothers-in-law, fathers-in-law, and sons and daughters-in-law.

(7) through (10) renumbered (6) through (9) No change.

~~(10)(11)~~ “Approved Visitor” refers to any person who is approved by the assigned institutional classification officer ~~CVA~~ to visit an inmate and whose approval is documented in the automated visiting record.

~~(11)(12)~~ “Request for Visiting Privileges” refers to Form DC6-111A, which must be fully completed by all prospective visitors twelve years of age and older and forwarded to the assigned institutional classification officer ~~CVA~~ for resolution.

(13) through (17) renumbered (12) through (16) No change.

~~(18) “Temporarily Suspended” refers to a visitor’s status pending a review or investigation of circumstances or events that can result in the revocation or suspension of visiting privileges. A visitor shall not be allowed to visit while in this status.~~

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, _____.

33-601.714 Inmate Visiting – General.

(1) through (2) No change.

(3) The warden, assistant warden, or duty warden is authorized to deny or terminate a visit if any of its aspects are disruptive or violate rules, procedures, instructions, restrictions, orders, or directions. Any disruption or violation shall be entered on the AVR and shall subject the visitor to revocation or suspension of visiting privileges by the warden or designee ~~CVA~~ and the inmate to disciplinary action.

(4) Posting of Policies.

(a) To ensure that all visitors are aware of § 944.47, F.S., governing contraband, the warden or designee shall post the statute in a conspicuous place at the entrance to the institution or facility.

(b) The warden or designee shall display the visiting rule, procedures, and any technical instructions that do not impede the maintenance of the security of the institution in a manner that allows visitors to read them before they begin the institutional visiting entry process.

~~(5) The CVA shall publish a departmental visitor's information handbook that shall include statutes, rules, procedures, and instructions relating to visiting. The warden shall ensure that a new visitor receives a copy of the handbook. These handbooks are not authorized in the visiting area.~~

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

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.708, Amended 5-27-02, _____.

33-601.715 Visiting Application Initiation Process.

(1) No change.

(2) The inmate shall be given up to fifteen copies of the Request for Visiting Privileges, Form DC6-111A, and Visitor Information Summary, Form DC6-111B, within 24 hours after arrival at his or her permanent facility. Forms DC6-111A and DC6-111B are incorporated by reference in Rule 33-601.737, F.A.C. The inmate shall be responsible for sending the forms to each family member or friend twelve years of age or older, whom the inmate wishes to be placed in his or her approved visiting record. Minors eleven years of age and younger are not required to submit a Request for Visiting Privileges, Form DC6-111B, until they reach 12 years of age.

(a) through (b) No change.

(3) The institution classification staff ~~CVA~~ shall conduct criminal history background checks on applicants requesting visiting privileges if information on the application indicates that it is prudent to do so.

(4) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.706, 33-601.708, Amended 5-27-02, _____.

33-601.716 Visiting Record Management.

(1) The Bureau of Classification and Central Records ~~CVA~~ shall develop and maintain computerized inmate-visiting records.

(2) through (9) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.703, 33-601.708, Amended _____.

33-601.717 Visiting Denial.

(1) No change.

(2) The assigned institutional classification officer ~~CVA~~ shall have authority to refuse to approve visiting for applicants with prior negative visiting behavior based on the security threat to the institution, nature of the behavior, and the elapsed time since the incident. Denial of visiting shall be permanent if the prospective visitor was involved in, or assisted in, an escape or attempted escape from any correctional facility.

(3) through (4) No change.

(5) Any person shall be subject to denial of permission to visit based upon the following criteria:

(a) No change.

~~(b) Escape or attempting to escape, or assisting or attempting to assist an escape or escape attempt from any facility;~~

(c) The nature and extent of the individual's criminal record, consideration of which includes:

1. Felony convictions for drug offenses within the last 5 years, convictions for violent felony offenses within the last 3 years' convictions for non-violent offenses within the last 2 years, withholds of adjudication, adjudications of delinquency, active warrant, misdemeanor convictions for stalking, battery, prostitution, possession of marijuana under 20 grams, possession of narcotic paraphernalia, or resisting a law enforcement officer without violence, and criminal history dispositions in any jurisdiction. If the disposition of an arrest is not reflected, the disposition shall ~~not~~ be ascertained prior to approval of the application ~~completion of the review of the visiting request unless circumstances suggest additional clarification is prudent.~~ If additional documentation ~~clarification~~ of the charge is necessary, the prospective visitor shall be responsible for providing official documentation of the disposition or circumstances of the offense in question;

2. No change.

(d) through (l) No change.

(6) A department volunteer or intern shall not be approved for visiting at an institution or facility to which he or she is assigned. Following termination or assignment to another facility, visitation at the former institution or facility shall not occur until five years ~~twelve months~~ have elapsed.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.706, 33-601.707, Amended 5-27-02, _____.

33-601.718 Review of Request for Visiting Privileges.

(1) In approving or disapproving visiting privileges, assigned institutional classification ~~CVA~~ staff shall review the Request for Visiting Privileges, Form DC6-111A, and shall consider all factors related to the security, order or effective management of the institution.

(a) No change.

(b) The institutional classification ~~CVA~~ staff shall evaluate a person's criminal history and visiting background using the CVA Visitor Screening Matrix, Form DC6-111D.

(c) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.706, Amended _____.

33-601.719 Visiting by Former and Current Department and Contract Employees.

(1) Former Department and Contract Employees. The assigned institutional classification officer ~~CVA~~ shall consider approving former department employees and former

employees of a contractor who was under contract with the department for visiting privileges under the following circumstances:

- (a) No change.
- (b) During employment the applicant did not have a documented incident of any of the following:
 - 1. through 2. No change.
 - 3. A personal or business relationship with an inmate offender. A personal or business relationship is any that goes beyond what is necessary for the performance of one's job.
 - 4. through 5. No change.
- (c) No change.

(2) Current Department and Contract Employees. The CVA shall consider approving current department employees and employees of a contractor currently under contract with the department for visiting privileges under the following conditions:

- (a) through (b) No change.
- (c) The employing warden, warden of the institution housing the inmate to be visited, circuit administrator (community corrections staff), regional director (regional office staff), and Assistant Secretary Director of Institutions (central office staff), have approved the visit in writing.
- (d) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Formerly 33-601.706, Amended 5-27-02, _____

33-601.720 Sex Offender Visiting Restrictions.

- (1) No change.
- (2) A warden, ~~with a recommendation from the CVA supervisor,~~ is authorized to approve a visit between a minor who is accompanied by an authorized adult and an inmate who meets the criteria in subsection 33-601.720(1), F.A.C., above if visiting is not restricted by court order and the warden determines the visit to be in the minor's best interest. Factors to be considered are:

- (a) through (4) No change.
- ~~(5) The warden shall provide documentation to the CVA supervisor who shall recommend approval or denial to the warden.~~

- ~~(5)(6) No change.~~
- ~~(6)(7) The warden, with a recommendation from the CVA supervisor,~~ is authorized to modify the visiting status if factors materially affecting the visiting privilege decision change. Modification of privileges and court modifications of previously imposed visiting restrictions shall be documented in the AVR by institutional staff.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Formerly 33-601.707, Amended 5-29-03, _____

33-601.727 Visitor Conduct.

- (1) Visitors must conduct themselves in accordance with the following requirements while on department property.
 - (a) through (b) No change.
 - (c) Visitors shall not possess, introduce, or attempt to introduce contraband or illegal items into or onto the grounds of any department institution or facility. Violations shall result in the suspension of visiting privileges by the warden or designee CVA. Contraband items not of an illegal nature shall be seized by staff when found and shall be returned only on the approval of the duty warden.
 - (d) through (2) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Formerly 33-601.708, Amended 5-27-02, _____

33-601.729 Denial or Termination of Visits.

- (1) through (2) No change.
- (3) Reconsideration for Visitation.
 - ~~(a) A visitor denied visiting by the warden or duty warden shall be permitted to ask the CVA to mediate the matter, using local or institutional telephone access for this purpose. The CVA employee will either inform the visitor of his or her agreement with the decision of the duty warden or shall contact the facility on behalf of the visitor. The final decision shall rest with the warden, assistant warden, or duty warden.~~
 - ~~(b) A visitor initially denied permission to visit for reasons other than for possession or attempted introduction of contraband and who corrects the problem causing the denial shall be granted visiting if not otherwise precluded by rule and if the inmate is not in the process of visiting with others.~~
- (4) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Formerly 33-601.705, 33-601.707, Amended 5-27-02, _____

33-601.731 Revocation or Suspension of Visiting Privileges.

- (1) through (8) No change.
- (9) Suspension of Visitor's Visiting Privileges.
 - ~~(a) A visitor whose visiting privileges are under consideration for revocation or suspension shall have his or her visiting privileges temporarily suspended.~~
 - ~~(a)(b) A visitor's visiting privileges shall be revoked by the warden or designee CVA when the visitor:~~
 - 1. through 6. No change.
 - ~~(b)(c) Visiting privileges shall be suspended by the warden or designee CVA for up to two years when the visitor:~~
 - 1. through 5. No change.
 - ~~(c)(d) Visitors found in violation of Paragraph 33-601.717(5)(f), F.A.C. – falsifying information to obtain visiting privileges, subsections 33-601.723(3) and (5), F.A.C., falsifying information at visitor registration and falsifying documents of guardianship, subsection 33-601.724(9), F.A.C.~~

– visitor attire, Rule 33-601.726, F.A.C. – visitor searches, or visitor conduct standards as outlined in paragraphs 33-601.727(1)(a)-(h), F.A.C. shall have visiting privileges suspended by the warden or designee ~~CVA~~ supervisor for up to one year.

(10) The warden or designee shall have the discretion to impose ~~recommend to the CVA supervisor~~ a length of suspension less than the maximum allowed by rule by considering the type of violation, the impact of the violation on the overall security or safety of the institution, and prior visits without incident. ~~The warden shall set forth the justification for the length of suspension, if less than the maximum, in the recommendation to the CVA supervisor.~~

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01 Formerly 33-601.707, 33-601.708, Amended 5-27-02, _____.

33-601.732 Reinstatement of Revoked or Suspended Visiting Privileges.

(1) The warden or designee shall approve or deny requests for reinstatement of an inmate’s suspended visiting privileges. The inmate shall submit a written request for reinstatement to the warden on Form DC6-236, Inmate Request. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(a) Reinstatement of privileges suspended for more than two years shall only be considered after two years from imposition.

1. The warden or designee shall review the request, render a final decision and notify the inmate concerned.

2. No change.

(b) through (c) No change.

(2) The warden or designee ~~CVA supervisor~~ shall approve or deny requests for reinstatement of a visitor’s revoked or suspended visiting privilege. The visitor, or inmate on behalf of the affected visitor, shall submit a written request for reinstatement of privileges to the assigned institutional classification officer ~~CVA supervisor~~. The visitor for whom the reinstatement is being considered shall submit a Request for Visiting Privileges, Form DC6-111A, if the suspension has been for longer than six months.

(a) Reinstatement of revoked privileges shall only be considered after two years from imposition.

1. The warden or designee ~~CVA supervisor~~ shall review the request, render a final decision and notify the visitor concerned.

2. No change.

(b) through (c) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, _____.

33-601.736 Special Visits.

(1) through (2) No change.

(3) The ~~CVA~~ Visitor Screening Matrix, Form DC6-111D shall be used to evaluate the proposed visitor’s criminal record and visiting background in determining approval or disapproval of the special visiting request. Form DC6-111D is incorporated by reference in Rule 33-601.737, F.A.C.

(4) No change.

~~(5) A visitor who has been denied a special visit by the warden or duty warden may request that the CVA mediate on his or her behalf. A local or institution telephone shall be used for this purpose if the visitor is on institutional property. The CVA shall either advise the visitor that the warden’s, assistant warden’s or duty warden’s decision is appropriate or speak to the denying authority on behalf of the visitor. However, the final decision will rest with the approving authority.~~

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, _____.

33-601.737 Visiting – Forms.

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

(1) through (5) No change.

(6) DC6-111D, ~~CVA~~ Visitor Screening Matrix, effective April 29, 2002.

Specific Authority 944.09, 944.115, 944.23 FS. Law Implemented 944.09, 944.115, 944.23, 944.8031 FS. History–New 11-18-01, Amended 4-29-02, _____.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to establish minimum water levels and flows for the St. Johns River at SR 44 near DeLand, in Volusia County.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would establish minimum water levels and flows for the St. Johns River at SR 44 near DeLand, in Volusia County, pursuant to the mandate of Section 373.042, Florida Statutes. Each of these levels and flows would have an associated hydroperiod category. The terms herein are already defined in Chapter 40C-8, F.A.C. As with all minimum levels and flows established by the District, if adopted, the minimum levels and flows in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.
 LAW IMPLEMENTED: 373.042, 373.0421 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP AT THE TIME, DATE AND PLACE LISTED BELOW:
 TIME AND DATE: 7:00 p.m., August 14, 2003
 PLACE: Volusia County Administration Building, Training Room, 123 West Indiana Avenue, DeLand, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459, Suncom 860-4459

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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

(1) The following minimum surface water levels and flows and minimum groundwater levels are established:

- (a) through (e) No change.
- (f) St. Johns River at SR 44 near DeLand, Volusia County.

| | Level (ft NGVD) | Flow (cfs) | Hydroperiod Category |
|-----------------------|--------------------|---------------|-------------------------|
| Minimum Frequent High | 1.9 | 4600 | Seasonally Flooded |
| Minimum Average | 0.8 | 2050 | Typically Saturated |
| Minimum Frequent Low | 0.3 | 1100 | Semipermanently Flooded |

(2) through (4) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 272.0421 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-11-03,

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE CHAPTER TITLE: Hospice
 RULE TITLES: Hospice Employee Training Requirements
 Hospice Training Provider and Curriculum Approval

RULE CHAPTER NO.: 58A-2
 RULE NOS.: 58A-2.027
 58A-2.028

PURPOSE AND EFFECT: Proposed Rules 58A-2.027 and 58A-2.028, F.A.C., are being considered, in consultation with the Agency for Health Care Administration, to implement Section 4 of Chapter 2003-271, Laws of Florida, which directs the Department of Elder Affairs in Section 400.6045, Florida Statutes, to adopt rules establishing standards for the Alzheimer’s disease or other related disorders trainers and training for specified hospice employees.

SUBJECT AREA TO BE ADDRESSED: Hospice Training Standards.

SPECIFIC AUTHORITY: 400.6045(1) FS.

LAW IMPLEMENTED: 400.6045(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 SHOW BELOW.

TIME AND DATE: 9:00 a.m. – 11:00 a.m., August 19, 2003

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-2.027 Hospice Employee Training Requirements.

(1) Each facility licensed under Part VI of Chapter 400, Florida Statutes, shall ensure that facility employees receive the following training.

(a) Completion of the required initial one hour of training after June 30, 2003, shall satisfy the requirement referenced in subsection 400.6045(1)(b), F.S. Facility employees who meet the requirements for Alzheimer’s Disease or Related Disorders training providers under paragraph (d) of this subsection shall be considered as having met this requirement. Initial one-hour training shall address the following subject areas:

1. Understanding Alzheimer’s Disease or Related Disorders;

2. Characteristics of Alzheimer’s Disease or Related Disorders; and

3. Communicating with patients with Alzheimer’s Disease or Related Disorders.

(b) Completion of the required three hours of training after June 30, 2003, shall satisfy the requirement referenced in subsection 400.6045(1)(c), F.S. Facility employees who meet the requirements for Alzheimer’s Disease or Related Disorder training providers under paragraph (d) of this subsection shall be considered as having met the requirements of subsection 400.6045(1), F.S. The three hours of training must address the following subject areas as they apply to Alzheimer’s Disease or Related Disorders:

- 1. Behavior management;
- 2. Assistance with activities of daily life;
- 3. Activities for patients;
- 4. Stress management for the care giver;
- 5. Family issues;
- 6. Patient environment; and
- 7. Ethical issues.

(c) A detailed description of the subject areas that shall be included in a curriculum which meets the requirements of paragraphs (a) and (b) of this subsection can be found in the document Training Guidelines for the Special Care of Hospice

Patients with Alzheimer's Disease or Related Disorders, September 2003, incorporated by reference, available from the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

(d) Persons who seek to provide Alzheimer's Disease or Related Disorders training in accordance with this subsection shall provide the Department of Elder Affairs or its designee documentation that they hold a Bachelor's degree in a health-care, human service, or gerontology related field from an accredited college or university or hold a license as a registered nurse, and:

1. Possess teaching or training experience as an educator of care givers for persons with Alzheimer's Disease or Related Disorders or;

2. Have one year of practical experience in a program providing care to persons with Alzheimer's Disease or Related Disorders; or

3. Have completed a specialized training program in Alzheimer's Disease or Related Disorders from a university or an accredited health care or human service or gerontology continuing education provider.

(e) With reference to requirements in paragraph (d), a Master's degree from an accredited college or university in a subject related to health-care, human service, or gerontology can substitute for the teaching or training experience referenced in subsection (2). Years of teaching experience or training as an educator of care givers for persons with Alzheimer's Disease or Related Disorders may substitute on a year-by-year basis for the required Bachelor's degree.

(2) A facility employee who has successfully completed training and continuing education consistent with the requirements of Section 400.4178, Florida Statutes, or completed training consistent with the requirements of sections 400.1755 or 400.5571, Florida Statutes, shall be considered as having met the training requirements of this rule.

Specific Authority 400.6045(1) FS. Law Implemented 400.6045(1) FS. History—New _____.

58A-2.028 Hospice Training Provider and Curriculum Approval.

(1) Persons seeking approval as an Alzheimer's Disease or Related Disorders training provider shall complete DOEA form Hospice/ADRD-001, Application for Alzheimer's Disease or Related Disorders Training Provider Certification, dated September 2003, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. Persons seeking to obtain approval of the Alzheimer's Disease or Related Disorder curriculum shall complete DOEA form Hospice/ADRD-002, Application for Alzheimer's Disease or Related Disorders Training Three-Year Curriculum Certification, dated September 2003, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

Approval must be obtained from the Department or its designee for the training provider and the training curriculum prior to commencing training activities. Approval of the training curriculum shall be granted for 3 years, whereupon the training curriculum must be re-submitted to the Department or its designee for re-approval.

(2) Upon receipt of the training provider's or the training curriculum application, the Department or its designee shall respond in writing within 30 calendar days in one of the following three ways:

(a) Notify the applicant that the application is approved or not approved;

(b) Request additional information from the applicant in order to make a determination. Once the additional information has been received by the Department or its designee, the Department or its designee will have 30 calendar days to make a determination; or

(c) Notify the applicant that an additional 30 calendar days is needed to review the application and make a determination. Upon notice of approval from the Department or its designee, the applicant may be identified as an approved training provider or approved training curriculum as indicated by the Department or its designee. The Department or its designee shall maintain a list of approved training providers and training curriculum and provide a list of approved training providers to all interested parties upon request.

(3) If an applicant's application is not approved, the Department or its designee shall respond in writing within 30 calendar days indicating the reasons for not approving the application and information or documentation needed for approval.

(4) Approved training providers shall maintain records of each course taught for a period of three years following each program presentation. Course records shall include the title of the training program, the number of hours of training, the training provider's name and the Department of Elder Affairs approval number, the date and location of the course, and a roster of trainees.

(5) Upon successful completion of training, the trainee shall be issued a certificate by the approved training provider. The certificate shall include the title of the approved training course, the number of hours of training, the participant's name, dates of attendance, location, the training provider's name and the Department of Elder Affairs approval number, dated signature, and, if held, the trainee's license or certification number.

(6) The Department reserves the right to attend and monitor training courses, review records and course materials approved pursuant to this rule, and revoke approved training provider status on the basis of non-adherence to approved curricula, the provider's failure to maintain required training credentials, or circumstances in which the provider is found to knowingly disseminate any false or misleading information.

(7) Certificates of any training required by this rule shall be documented in the facility’s personnel files.

(8) Training providers and training curricula which are approved consistent with the provisions of Sections 400.4178, 400.1755, and 400.5571, Florida Statutes, shall be considered as having met the requirements of this subsection.

Specific Authority 400.6045(1) F.S. Law Implemented 400.6045(1) F.S. History–New _____

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

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|--|-------------------|
| RULE CHAPTER TITLE: | RULE CHAPTER NO.: |
| Assisted Living Facilities | 58A-5 |
| RULE TITLES: | RULE NOS.: |
| Definitions | 58A-5.0131 |
| License Application, Change of Ownership, and Provisional Licenses | 58A-5.014 |
| License Renewal and Conditional License | 58A-5.015 |
| License | 58A-5.016 |
| Residency Criteria and Admission Procedures | 58A-5.0181 |
| Resident Care Standards | 58A-5.0182 |
| Medication Practices | 58A-5.0185 |
| Staffing Standards | 58A-5.019 |
| Staff Training Requirements and Training Fees | 58A-5.0191 |
| Fiscal Standards | 58A-5.021 |
| Physical Plant Standards | 58A-5.023 |
| Adverse Incident Report | 58A-5.0241 |
| Resident Contracts | 58A-5.025 |
| Emergency Management | 58A-5.026 |
| Limited Mental Health | 58A-5.029 |
| Limited Nursing Services | 58A-5.031 |
| Administrative Enforcement | 58A-5.033 |

PURPOSE AND EFFECT: The proposed rule amendments to Chapter 58A-5, F.A.C., are being considered in consultation with the Agency for Health Care Administration (AHCA).

The purpose of proposed amendments to Rule 58A-5.0131, F.A.C., (Definitions) is to (1) clarify the definition for “owner”; (2) provide a definition for “rate” and “third party”; and (3) correct the address for AHCA.

The purpose of proposed amendments to Rule 58A-5.014, F.A.C., (License Application, Change of Ownership, and Provisional Licenses) is to: (1) update the Assisted Living Facilities (ALF) License Application; (2) delete references to the Florida Abuse Hotline Information System Background Check, (3) delete reference to ACHA Form 3110-0003; (4) provide ALF application omission information and timeframes; (5) conform the rule language to Section 400.419, F.S., for failure to apply for Change of Ownership (CHOW) of a licensed ALF by providing for a \$5,000 fine; and (6) delete reference to individual owners who incorporate and do not report the incorporation to AHCA.

The purpose of proposed amendments to Rule 58A-5.015, F.A.C., (License Renewal and Conditional License) is to: (1) provide that the notification for renewal license shall be provided electronically or by mail delivery pursuant to changes in Section 400.417, F.S.; and (2) provide ALF application omission information and timeframes.

The purpose of proposed amendments to Rule 58A-5.016, F.A.C., (License) is to correct the name of AHCA’s field offices.

The purpose of proposed amendments to Rule 58A-5.0181, F.A.C., (Residency Criteria and Admission Procedures) is to: (1) clarify that an individual may transfer with assistance of not more than two persons and does not permit the use of a mechanical lifting device for an individual to transfer; (2) provide that a resident requiring care of a stage 2 pressure sore, may be admitted to the facility; (3) add “tracheotomy” to the list of nursing services that an individual can not require for admission to an ALF; (4) delete “skilled rehabilitative services” from the list of nursing services that an individual can not require for admission and add that an individual not require “skilled rehabilitative services” to the list of admission criteria; (5) revise DOEA from 1823, Health Assessment to smooth the interface of ALF rule requirements and requirements of the Medicaid Assistive Care Services Program under Rule 59G-4.025, F.A.C., relating to activities of daily living; (6) add that the facility shall make available to potential residents a written statement of the facility policy concerning Do Not Resuscitate Orders and Advance directives, pursuant to section 400.4255(3), F.S.; (7) require that continued residency criteria include that a licensed nurse or physician document, if the resident’s condition fails to improve within 30 days and that the resident be discharged pursuant to section 400.428 F.S.; and (8) provide that the facility administrator shall determine if the resident no longer meets criteria for continued residency, or the facility is unable to meet the resident’s needs and strikes references to Section 400.426(8), F.S.

The purpose of proposed amendments to Rule 58A-5.0182, F.A.C., (Resident Care Standards) is to: (1) clarify that when a residents records is required to be updated by deleting the words “in the resident’s normal appearance or state of health” and inserting the definition of “significant change”; (2) increase the number of available days (from 5 to 6) a week for scheduled activities and increases the total number of hours per week (from 10 to 15) per week; (3) allow for up to 3 hours of resident assistance in planning a special activity be counted towards the required activity time; (4) correct the names and phone numbers of advocacy groups; and (5) clarify residents right to unrestricted and private communication and provides for residents right to receive unidentified telephone calls.

The purpose of proposed amendments to Rule 58A-5.0185, F.A.C., (Medication Practices) is to (1) clarify staff responsibilities if a resident is found to be improperly self-administering medications and directs staff to contact the

resident's health care provider and pharmacist when needed; (2) strike the term "Weekly" and allows for the use of daily weekly or monthly pill organizers; (3) allow a resident who self-administers medications to use a pill organizer; (4) clarify staff responsibilities related to residents who self-administer medications and requires staff to contact the resident's health care provider and pharmacist regarding questions, concerns, or when observable health care changes occur related to the resident's medications; (5) provide that staff document contacts with the resident's health care provider and pharmacist; (6) require that assistance with self administration of medication include verbal prompts, retrieving and opening a properly labeled medication container, and providing assistance as specified in Rule 400.4256(3), F.S.; (7) provide that staff may prepare and make available spoons and other items specified in rule; (8) clarify staff responsibilities when providing assistance with self-administration of medication and to contact the resident's health care provider and pharmacist when needed; (8) create a new subsection to define and clarify the term "competent resident" for purposes of subsection (3) of Rule 58A-5.0185, F.A.C.; (10) create a new subsection to define the terms "judgment and discretion" as they pertain to the treatment term "as needed" used by physician's when prescribing medications for purposes of subsection (3) of Section 58A-5.0185, FAC.; (11) clarify staff responsibility for medication administration to report to the resident's health care provider and pharmacist, unusual reactions or a significant change in the resident's health or behavior; (12) correct the name of Clinical Laboratory Improvement Amendments of 1988 (CLIA) Waiver guidelines; (13) clarify the term "over the counter" medication by deleting the word "prescribed"; (14) require staff to document in the residents record the date and time a family member fills the pill organizer; (15) clarify the difference between the term "assistance with self-administration of medication" and the term "administration of medications" by adding the term "courtesy storage" used as in safekeeping of personal belongings; (16) require staff to maintain an inventory of all medication being sorted if a resident requests central storage of prescribed or over-the-counter medications; (17) add the words "filled or" clarifying that the facility make every reasonable effort to ensure that prescriptions of residents who receive assistance with self-administration or medication administration shall have the pill organizer filled in a timely manner; and (18) provide procedures on how to labeled sample medications.

The purpose of proposed amendments to Rule 58A-5.019, F.A.C., (Staffing Standards) is to: (1) correct the name of AHCA field office; (2) revise the date of AHCA Form 3180-1006; (3) correct the name of background screening and Criminal History Screenings AHCA Form 3110-0002, and revise the date of the form; (4) delete reference to Florida

Abuse Hotline Information System Background Check, AHCA Form 3110-003, July 1998; and (5) delete reference to abuse registry and inserting the word "screening".

The purpose of proposed amendments to Rule 58A-5.0191, F.A.C., (Staff Training Requirements and Training Fees) is to: (1) delete the word "Training" and insert the words "Competency Test" pursuant to changes in Section 400.452, F.S., which strikes the department's authority to collect training fees, and provides authority to collect fees for the competency test; (2) delete the word "program" and inserts the word "requirements" pursuant to changes in Section 400.452, F.S., which strikes the department's authority to provide the required training to ALF administrators; (3) clarify that the required ALF core training must be successfully completed including the passing of the competency test; (4) clarify that administrators licensed as nursing home administrator are exempt from the training requirements; (5) clarify that newly hired administrators or managers must successfully completed the required training; (6) clarify that administrators or managers that have not maintained the continuing education requirements or attended update training will be considered as new administrators or managers and are required to retake the ALF core training and pass the competency test; (7) clarify that the facility administrator or manager is responsible for providing or arranging in-service training to facility staff as described in the rule; (8) add adverse incident training to required in-service training; (9) require persons who have not attended the ALF core training to receive a minimum of 1-hour in-service training within 30 day of employment in safe food handling practices; (10) clarify new staff continuing education requirements to include initial HIV/AIDS training within 30 days of employment; (11) delete reference to First Aid and CPR training program requirements and approved trainers because the department has no rule authority for such training or trainer approval, and keeps the reference to appropriate training providers to meet the requirement that one staff member who holds a currently valid card of the First Aid and CPR training be in the facility at all times; (12) delete references to department staff providing training through out the rule pursuant to changes in Section 400.452, F.S.; (13) clarify that the unlicensed persons who will be providing assistance with self-administered medications attend the required training and must demonstrate the ability to read and understand a prescription label; (14) require additional annual continuing education on assistance with self-administered medications and safe medication practices and specifies continuing education providers; (15) reduce both the initial extended congregate care training and continuing education requirements from 6 hours to 4 hours; (16) clarify continuing education requirements and who can provide training; (17) provide for a technical change by deleting the words "and designee" after the word "manager" for consistency; (18) revise the ALF Alzheimer's disease training approval process to reduce confusion due relating to the creation of a similar

legislation for nursing homes, adult day care centers, hospices, and home health agencies, these revisions include: the provision for an application process with timeframes for the approval of the training providers and curricula; reduce the requirement that the training providers be approved every three years to the initial approval; amend the subject areas covered in the initial 4 hours and the additional 4 hours of training to bridge the ALF requirements with the nursing home, adult day care center, hospice, home health agency; reduce the ALF Alzheimer's disease training provider requirements to equal the nursing home training provider requirements; provide that Alzheimer's disease training providers approved pursuant to Sections 400.1755, 400.5571, and 400.6045, F.S., shall be considered as having met the requirements of subsection (9),(10) of Rule 58A-5.0191, F.A.C.; (19) move and amend subsection (10) to new subsection (11); (20) delete references to training fees pursuant to changes in Section 400.452, F.S.; (21) provide for a competency test fee pursuant to changes in Section 400.452, F.S.; and (22) delete the requirement that the department notify ALFs of the department's training schedule and require ALF training providers to provide the schedule of training to the public upon request.

The purpose of proposed amendment to Rule 58A-5.021, F.A.C., (Fiscal Standards) is to delete the requirement that AHCA staff be required to use general accepted accounting principles (GAAP) as specified GAAP rule.

The purpose of proposed amendments to Rule 58A-5.023, F.A.C., (Physical Plant Standards) is to: (1) require the facility to maintain master or duplicate keys to resident bedrooms and bathrooms in the event of an emergency; (2) require that each bathroom have a door working to ensure privacy the facility; and (3) require that each bathroom door have a lock which can be operated by the resident from the inside without a key unless the resident's safety is jeopardized.

The purpose of proposed amendment to Rule 58A-5.025, F.A.C., (Resident Contracts) is to delete the word "basic" to clarify and reduce the confusion about rate charges.

The purpose of proposed amendments to Rule 58A-5.0241, F.A.C., (Adverse Incident Report) is to revise the ALF Initial Adverse Incident Report – 1 Day, DOEA Form 3180-1024, and the ALF Complete Adverse Incident Report – 15 Day, DOEA Form 3180-1025.

The purpose of proposed amendment to Rule 58A-5.026, F.A.C., (Emergency Management) is to correct the name of AHCA's field office.

The purpose of proposed amendments to Rule 58A-5.029, F.A.C., (Limited Mental Health) is to: (1) delete the requirement to complete "a Limited Mental Health License Application, AHCA Form 3180-1023, September 1998", which is no longer used and insert reference to application

requirements provided in Rule 58A-5.014, F.A.C.; (2) require the Community Support Plan to have a description of other services to be provided or arranged by the facility; and (3) delete the word "designee" and inserts the word "manager".

The purpose of proposed amendments to Rule 58A-5.031, F.A.C., (Limited Nursing Services) is to add anti-embolism stockings or hosiery; administration and regulation of portable oxygen; applying, caring for and monitoring a transcutaneous electric nerve stimulator (TENS); and catheter, colostomy, illiostomy care and maintenance to the list of services provided under Limited Nursing Services.

The purpose of proposed amendments to Rule 58A-5.033, F.A.C., (Administrative Enforcement) is to delete references to unclassified violations to comply with revisions to Section 400.419, F.S.; and correct the name of AHCA's field office.

SUBJECT AREA TO BE ADDRESSED: Assisted Living Facilities Definitions, License Application, Change of Ownership, and Provisional Licenses, License Renewal and Conditional License, License, Residency Criteria and Admission Procedures, Resident Care Standards, Medication Practices, Staffing Standards, Staff Training Requirements and Training Fees, Fiscal Standards, Physical Plant Standards, Resident Contracts, Adverse Incident Report, Emergency Management, Limited Mental Health, Limited Nursing Services, and Administrative Enforcement.

SPECIFIC AUTHORITY: 400.402, 400.407, 400.415, 400.4178, 400.423, 400.424, 400.452, 400.256, 400.426, 400.427, 400.4275, 400.441, 400.442 FS.

LAW IMPLEMENTED: 394.4574, 400.402, 400.404, 400.407, 400.4075, 400.408, 400.411, 400.412, 400.414, 400.415, 400.417, 400.4174, 400.4176, 400.4178, 400.419, 400.42, 400.423, 400.424, 400.4255, 400.4256, 400.426, 400.427, 400.4275, 400.428, 400.431, 400.434, 400.441, 400.442, 400.444, 400.4445, 400.447, 400.452, 404.056, 409.912 FS.

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

TIMES AND DATE: 9:00 a.m. – 12:00 p.m.; 1:00 p.m. – 4:00 p.m., August 5, 2003

PLACE: Department of Elder Affairs, 4040 Esplanade Way, 225F Conf. Rm., Tallahassee, FL 32399-7000

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

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE CHAPTER TITLE: Adult Day Care Center
 RULE CHAPTER NO.: 58A-6

RULE TITLES: Adult Day Care Center Employee Training Requirements
 RULE NOS.: 58A-6.015

Adult Day Care Center Training Provider and Curriculum Approval
 58A-6.016

PURPOSE AND EFFECT: Proposed Rules 58A-6.015 and 58A-6.016, F.A.C., are being considered, in consultation with the Agency for Health Care Administration, to implement Section 3 of Chapter 2003-271, Laws of Florida, which directs the Department of Elder Affairs in Section 400.5571, Florida Statutes, to adopt rules establishing standards for the Alzheimer’s disease or other related disorders trainers and training for specified adult day care center employees.

SUBJECT AREA TO BE ADDRESSED: Adult Day Care Center Training Standards.

SPECIFIC AUTHORITY: 400.5571(1) FS.

LAW IMPLEMENTED: 400.5571(1) FS.

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

TIMES AND DATE: 2:15 p.m. – 4:15 p.m., August 19, 2003

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-6.015 Adult Day Care Center Employee Training Requirements.

(1) Each facility licensed under Part V of Chapter 400, Florida Statutes, shall ensure that facility employees receive the following training.

(a) Completion of the required initial one hour of training after June 30, 2003, shall satisfy the requirement referenced in subsection 400.5571 (1)(b), F.S. Facility employees who meet the requirements for Alzheimer’s Disease or Related Disorders training providers under paragraph (d) of this subsection shall be considered as having met this requirement. Initial one-hour training shall address the following subject areas:

1. Understanding Alzheimer’s Disease or Related Disorders;
2. Characteristics of Alzheimer’s Disease or Related Disorders; and

3. Communicating with participants with Alzheimer’s Disease or Related Disorders.

(b) Completion of the required three hours of training after June 30, 2003, shall satisfy the requirement referenced in subsection 400.5571 (1)(c), F.S. Facility employees who meet the requirements for Alzheimer’s Disease or Related Disorder training providers under paragraph (d) of this subsection shall be considered as having met the requirements of subsection 400.5571(1), F.S. The three hours of training must address the following subject areas as they apply to Alzheimer’s Disease or Related Disorders:

1. Behavior management;
2. Assistance with activities of daily life;
3. Activities for participants;
4. Stress management for the care giver;
5. Family issues;
6. Participant environment; and
7. Ethical issues.

(c) A detailed description of the subject areas that shall be included in a curriculum which meets the requirements of paragraphs (a) and (b) of this subsection can be found in the document Training Guidelines for the Special Care of Adult Day Care Center Participants with Alzheimer’s Disease or Related Disorders, September 2003, incorporated by reference, available from the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

(d) Persons who seek to provide Alzheimer’s Disease or Related Disorders training in accordance with this subsection shall provide the Department of Elder Affairs or its designee documentation that they hold a Bachelor’s degree in a health-care, human service, or gerontology related field from an accredited college or university or hold a license as a registered nurse, and:

1. Possess teaching or training experience as an educator of care givers for persons with Alzheimer’s Disease or Related Disorders or;
2. Have one year of practical experience in a program providing care to persons with Alzheimer’s Disease or Related Disorders; or
3. Have completed a specialized training program in Alzheimer’s Disease or Related Disorders from a university or an accredited health care or human service or gerontology continuing education provider.

(e) With reference to requirements in paragraph (d), a Master’s degree from an accredited college or university in a subject related to health-care, human service, or gerontology can substitute for the teaching or training experience referenced in subsection (2). Years of teaching experience or training as an educator of care givers for persons with Alzheimer’s Disease or Related Disorders may substitute on a year-by-year basis for the required Bachelor’s degree.

(2) A facility employee who has successfully completed training and continuing education consistent with the requirements of Section 400.4178, Florida Statutes, or completed training consistent with the requirements of Sections 400.1755 or 400.6045, Florida Statutes, shall be considered as having met the training requirements of this rule.

Specific Authority 400.5571(1) FS. Law Implemented 400.5571(1) FS. History—New _____.

58A-6.016 Adult Day Care Center Training Provider and Curriculum Approval.

(1) Persons seeking approval as an Alzheimer’s Disease or Related Disorders training provider shall complete DOEA form ADC/ADRD-001, Application for Alzheimer’s Disease or Related Disorders Training Provider Certification, dated September 2003, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. Persons seeking to obtain approval of the Alzheimer’s Disease or Related Disorder curriculum shall complete DOEA form ADC/ADRD-002, Application for Alzheimer’s Disease or Related Disorders Training Three-Year Curriculum Certification, dated September 2003, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. Approval must be obtained from the Department or its designee for the training provider and the training curriculum prior to commencing training activities. Approval of the training curriculum shall be granted for 3 years, whereupon the training curriculum must be re-submitted to the Department or its designee for re-approval.

(2) Upon receipt of the training provider’s or the training curriculum application, the Department or its designee shall respond in writing within 30 calendar days in one of the following three ways:

(a) Notify the applicant that the application is approved or not approved;

(b) Request additional information from the applicant in order to make a determination. Once the additional information has been received by the Department or its designee, the Department or its designee will have 30 calendar days to make a determination; or

(c) Notify the applicant that an additional 30 calendar days is needed to review the application and make a determination. Upon notice of approval from the Department or its designee, the applicant may be identified as an approved training provider or approved training curriculum as indicated by the Department or its designee. The Department or its designee shall maintain a list of approved training providers and training curriculum and provide a list of approved training providers to all interested parties upon request.

(3) If an applicant’s application is not approved, the Department or its designee shall respond in writing within 30 calendar days indicating the reasons for not approving the application and information or documentation needed for approval.

(4) Approved training providers shall maintain records of each course taught for a period of three years following each program presentation. Course records shall include the title of the training program, the number of hours of training, the training provider’s name and the Department of Elder Affairs approval number, the date and location of the course, and a roster of trainees.

(5) Upon successful completion of training, the trainee shall be issued a certificate by the approved training provider. The certificate shall include the title of the approved training course, the number of hours of training, the participant’s name, dates of attendance, location, the training provider’s name and the Department of Elder Affairs approval number, dated signature, and, if held, the trainee’s license or certification number.

(6) The Department reserves the right to attend and monitor training courses, review records and course materials approved pursuant to this rule, and revoke approved training provider status on the basis of non-adherence to approved curricula, the provider’s failure to maintain required training credentials, or circumstances in which the provider is found to knowingly disseminate any false or misleading information.

(7) Certificates of any training required by this rule shall be documented in the facility’s personnel files.

(8) Training providers and training curricula which are approved consistent with the provisions of Sections 400.4178, 400.1755, and 400.6045, Florida Statutes, shall be considered as having met the requirements of this subsection.

Specific Authority 400.5571(1) FS. Law Implemented 400.5571(1) FS. History—New _____.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

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| RULE CHAPTER TITLE: | RULE CHAPTER NO.: |
| Home Health Care Agency | 58A-8 |
| RULE TITLES: | RULE NOS.: |
| Home Health Agency Employee Training Requirements | 58A-8.001 |
| Home Health Agency Training Provider and Curriculum Approval | 58A-8.002 |

PURPOSE AND EFFECT: Proposed Rules 58A-8.001 and 58A-8.002, F.A.C., are being considered, in consultation with the Agency for Health Care Administration, to implement Section 2 of Chapter 2003-271, Laws of Florida, which directs the Department of Elder Affairs in Section 400.4785, Florida Statutes, to adopt rules establishing standards for the Alzheimer’s disease or other related disorders trainers and training for specified home health agency employees.

SUBJECT AREA TO BE ADDRESSED: Home Health Agency Training Standards.

SPECIFIC AUTHORITY: 400.4785(1) FS.

LAW IMPLEMENTED: 400.4785(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 SHOW BELOW.

TIME AND DATE: 12:00 p.m. – 2:00 p.m., August 19, 2003

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-8.001 Home Health Agency Employee Training Requirements.

(1) Each agency licensed under Part IV of Chapter 400, Florida Statutes, shall ensure that agency employees receive the following training.

(a) Completion of the required two hour of training after June 30, 2005, shall satisfy the requirement referenced in subsection 400.4785(1)(b), F.S. Agency employees who meet the requirements for Alzheimer’s Disease or Related Disorders training providers under paragraph (c) of this subsection shall be considered as having met this requirement. Two-hour training shall address the following subject areas:

1. Understanding Alzheimer’s Disease or Related Disorders;
2. Characteristics of Alzheimer’s Disease or Related Disorders; and
3. Communicating with patients with Alzheimer’s Disease or Related Disorders.
4. Behavior management;
5. Assistance with activities of daily life;
6. Activities for patients;
7. Stress management for the care giver;
8. Family issues;
9. Patient environment; and
10. Ethical issues.

(b) A detailed description of the subject areas that shall be included in a curriculum which meets the requirements of paragraph (a) of this subsection can be found in the document Training Guidelines for the Special Care of Home Health Agency Patients with Alzheimer’s Disease or Related Disorders, September 2003, incorporated by reference, available from the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

(c) Persons who seek to provide Alzheimer’s Disease or Related Disorders training in accordance with this subsection shall provide the Department of Elder Affairs or its designee documentation that they hold a Bachelor’s degree in a health-care, human service, or gerontology related field from an accredited college or university or hold a license as a registered nurse, and:

1. Possess teaching or training experience as an educator of care givers for persons with Alzheimer’s Disease or Related Disorders or;
2. Have one year of practical experience in a program providing care to persons with Alzheimer’s Disease or Related Disorders; or
3. Have completed a specialized training program in Alzheimer’s Disease or Related Disorders from a university or an accredited health care or human service or gerontology continuing education provider.

(d) With reference to requirements in paragraph (c), a Master’s degree from an accredited college or university in a subject related to health-care, human service, or gerontology can substitute for the teaching or training experience referenced in subsection (2). Years of teaching experience or training as an educator of care givers for persons with Alzheimer’s Disease or Related Disorders may substitute on a year-by-year basis for the required Bachelor’s degree.

(2) A facility employee who has successfully completed training and continuing education consistent with the requirements of Section 400.4178, Florida Statutes, or completed training consistent with the requirements of Sections 400.1755, 400.5571, and 400.6045, Florida Statutes, shall be considered as having met the training requirements of this rule.

Specific Authority 400.4785(1) FS. Law Implemented 400.4785(1) FS. History—New _____.

58A-8.002 Home Health Agency Training Provider and Curriculum Approval.

(1) Persons seeking approval as an Alzheimer’s Disease or Related Disorders training provider shall complete DOEA form HH/ADR-001, Application for Alzheimer’s Disease or Related Disorders Training Provider Certification, dated September 2003, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. Persons seeking to obtain approval of the Alzheimer’s Disease or Related Disorder curriculum shall complete DOEA form HH/ADR-002, Application for Alzheimer’s Disease or Related Disorders Training Three-Year Curriculum Certification, dated September 2003, which is incorporated by reference and available at the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. Approval must be obtained from the Department or its designee for the training provider and the training curriculum prior to commencing training activities. Approval of the

training curriculum shall be granted for 3 years, whereupon the training curriculum must be re-submitted to the Department or its designee for re-approval.

(2) Upon receipt of the training provider's or the training curriculum application, the Department or its designee shall respond in writing within 30 calendar days in one of the following three ways:

(a) Notify the applicant that the application is approved or not approved;

(b) Request additional information from the applicant in order to make a determination. Once the additional information has been received by the Department or its designee, the Department or its designee will have 30 calendar days to make a determination; or

(c) Notify the applicant that an additional 30 calendar days is needed to review the application and make a determination. Upon notice of approval from the Department or its designee, the applicant may be identified as an approved training provider or approved training curriculum as indicated by the Department or its designee. The Department or its designee shall maintain a list of approved training providers and training curriculum and provide a list of approved training providers to all interested parties upon request.

(3) If an applicant's application is not approved, the Department or its designee shall respond in writing within 30 calendar days indicating the reasons for not approving the application and information or documentation needed for approval.

(4) Approved training providers shall maintain records of each course taught for a period of three years following each program presentation. Course records shall include the title of the training program, the number of hours of training, the training provider's name and the Department of Elder Affairs approval number, the date and location of the course, and a roster of trainees.

(5) Upon successful completion of training, the trainee shall be issued a certificate by the approved training provider. The certificate shall include the title of the approved training course, the number of hours of training, the participant's name, dates of attendance, location, the training provider's name and the Department of Elder Affairs approval number, dated signature, and, if held, the trainee's license or certification number.

(6) The Department reserves the right to attend and monitor training courses, review records and course materials approved pursuant to this rule, and revoke approved training provider status on the basis of non-adherence to approved curricula, the provider's failure to maintain required training credentials, or circumstances in which the provider is found to knowingly disseminate any false or misleading information.

(7) Certificates of any training required by this rule shall be documented in the agency's personnel files.

(8) Training providers and training curricula which are approved consistent with the provisions of Sections 400.4178, 400.1755, 400.5571, and 400.6045, Florida Statutes, shall be considered as having met the requirements of this subsection.

Specific Authority 400.4785(1) FS. Law Implemented 400.4785(1) FS. History-New _____.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

| | |
|---|-------------------|
| RULE CHAPTER TITLE: | RULE CHAPTER NO.: |
| Adult Family Care Home | 58A-14 |
| RULE TITLES: | RULE NOS.: |
| License Application, Renewal and Conditional Licenses | 58A-14.003 |
| Admission and Appropriateness of Placement | 58A-14.0061 |
| Staff Qualifications, Responsibilities and Training | 58A-14.008 |

PURPOSE AND EFFECT: The proposed amendments to Rules 58A-14.003, 58A-14.0061, and 58A-14.008, Florida Administrative Code (F.A.C.), were developed in consultation with the Agency for Health Care Administration (A.H.C.A.).

The purpose of the proposed amendments to Rule 58A-14.003, F.A.C., are pursuant to changes in Section 400.619, Florida Statutes (F.S.), which requires the A.H.C.A to provide Adult Family Care Home (A.F.C.H.) providers the application forms for license renewal either electronically or by mail delivery annually.

The purpose of the proposed amendments to Rule 58A-14.0061, F.A.C., is to smooth the interface of A.F.C.H. rule requirements and requirements of the Medicaid Assistive Care Services Program under Rule 59G-4.025, F.A.C., by revising the Resident Health Assessment, DOEA form 1110, dated February 1999, to include additional questions regarding the residents activities of daily living (ADL) needs.

The purpose of the proposed amendments to Rule 58A-14.008, F.A.C., are pursuant to changes in Section 400.6211, F.S., which eliminates the Department of Elder Affairs authority to provide the required A.F.C.H. training.

SUBJECT AREA TO BE ADDRESSED: Renewal Licenses, Adult Family Care Home Resident Health Assessment, Staff Training.

SPECIFIC AUTHORITY: 400.619, 400.621, 400.6211 FS.

LAW IMPLEMENTED: 400.618, 400.619, 400.621, 400.6211, 400.625, 400.628 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 SHOW BELOW.

TIME AND DATE: 10:00 a.m. – 11:00 a.m., August 4, 2003

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conf. Rm. 225F, Tallahassee, FL

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-14.003 License Application, Renewal and Conditional Licenses.

- (1) No change.
- (2) LICENSE RENEWAL.

(a) Application forms for license renewal, AHCA Form 3180-1022, shall be provided electronically or by mailed delivery annually by the agency to the AFCH provider at least 120 days prior to the expiration of the current license. The provider shall mail or hand-deliver the license renewal application to the agency a minimum of 90 days prior to the expiration date appearing on the currently held license.

- (b) through (c) No change.
- (3) through (4) No change.

Specific Authority 400.619, 400.621 FS. Law Implemented 400.619, 400.621 FS. History—New 5-14-86, Amended 2-2-95, Formerly 10A-14.003, Amended 9-19-96, 3-25-98, 6-6-99,_____.

58A-14.0061 Admission and Appropriateness of Placement.

- (1) No change.

(2) HEALTH ASSESSMENT. Prior to admission to an AFCH, the individual must be examined by a health care provider using the Resident Health Assessment, DOEA Form 1110, August 2003 February 1999, which is incorporated by reference, and available from the Assisted Living Program, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000. Previous versions of this form completed up to 6 months after the effective date of this rule (effective date of the rule) are acceptable.

- (3) through (6) No change.

Specific Authority 400.621 FS. Law Implemented 400.618, 400.621, 400.625, 400.628 FS. History—New 2-2-95, Formerly 10A-14.0061, Amended 9-19-96, 6-6-99,_____.

58A-14.008 Staff Qualifications, Responsibilities and Training.

- (1) through (3) No change.
- (4) TRAINING.

(a) All AFCH providers must attend a 12-hour basic adult family-care home training program ~~provided by the department~~ which covers the minimum requirements of Section 400.6211, F.S., prior to accepting any residents, or for providers who already have persons residing in the home that will be considered residents, prior to licensing.

- (b) No change.

~~(e) AFCH providers must attend update training for any portion of the basic course which has been updated as the result of new legislation or rule amendment.~~

- (d) through (e) renumbered (c) through (d) No change.

~~(e)(f) Upon request, The department's AFCH training providers shall make available to any member of the public a copy of the schedule for the required in the planning and service area where an AFCH is located shall notify AFCH providers of record, and others who request notification, of AFCH training offered by the department. A schedule of department training offered and a list of trainers is available from the Assisted Living Program, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, telephone number (850)414-2309.~~

(f)(g) Except as otherwise noted, certificates of any training required by this rule shall be documented in the facility's personnel files which documentation shall include the title of the training program, the specific topics of the training, the participant's name, the date of attendance, the AFCH training provider's name, signature and credentials, and the number of hours of training.

Fees:

~~1. Except for licensed AFCH providers, each relief person, and AFCH license applicants, the department shall charge the following fees for training provided under this rule:~~

- ~~a. AFCH basic training \$50~~
- ~~b. Update training \$25~~

~~2. The department shall charge the following fees for printed materials available from the department printed or on diskette:~~

- ~~a. Adult Family Care Home Provider's Guide \$25~~
- ~~b. Adult Family Care Home Law and Rule \$5~~

(g) Upon successful completion of training pursuant to this rule, the AFCH training provider shall issue a certificate of completion to the AFCH provider which shall include the title of the training program, the specific topics of the training, the participant's name, the date of attendance, the AFCH training provider's name, signature and credentials, and the number of hours of training.

Specific Authority 400.619, 400.621, 400.6211 FS. Law Implemented 400.619, 400.621, 400.6211 FS. History—New 2-2-95, Formerly 10A-14.008, Amended 9-19-96, 6-6-99,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Public Liability Insurance
 RULE NO.: 61G4-15.003
 PURPOSE AND EFFECT: The Board proposes a review of this rule to determine whether amendments may be necessary.
 SUBJECT AREA TO BE ADDRESSED: The proposed rule review addresses the requirements for proof of coverage as a prerequisite to obtaining certification or registration.

SPECIFIC AUTHORITY: 489.108, 489.115(5), 489.129(3) FS.

LAW IMPLEMENTED: 489.115(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: PUBLIC LIABILITY INSURANCE

RULE NO.: 61G4-15.003

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address public liability insurance.

SUBJECT AREA TO BE ADDRESSED: Public Liability Insurance.

SPECIFIC AUTHORITY: 489.108, 489.115(5), 489.129(3) FS.

LAW IMPLEMENTED: 489.115(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tim Vacarro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: CERTIFICATION OF SPECIALTY STRUCTURE CONTRACTORS

RULE NO.: 61G4-15.015

PURPOSE AND EFFECT: The Board proposes a review of this rule to determine whether amendments may be necessary.

SUBJECT AREA TO BE ADDRESSED: The proposed rule review addresses the certification of and the scope of practice for specialty structure contractors.

SPECIFIC AUTHORITY: 120.53, 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: NORMAL PENALTY RANGES

RULE NO.: 61G4-17.001

PURPOSE AND EFFECT: The Board proposes a review of this rule to determine whether amendments may be necessary.

SUBJECT AREA TO BE ADDRESSED: The proposed rule review will evaluate the guidelines required for use in disciplinary cases.

SPECIFIC AUTHORITY: 455.227, 489.108, 489.129 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 489.129 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE CHAPTER TITLE: GROUNDS FOR DISCIPLINE

RULE CHAPTER NO.: 61G17-2

PURPOSE AND EFFECT: The Board proposes to review this rule chapter to determine if amendments or new rules are required.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-2.001 Fees.

(1) The application fee shall be as follows:

| | |
|---|----------|
| Registered Trainee Assistant Appraiser | \$50.00 |
| Licensed Appraiser | \$100.00 |
| Certified Residential Appraiser | \$100.00 |
| Certified General Appraiser | \$100.00 |

(2) The biennial fee shall be:

| | |
|---|----------|
| Registered Trainee Assistant Appraiser | \$175.00 |
| Licensed Appraiser | \$175.00 |
| Certified Residential Appraiser | \$175.00 |
| Certified General Appraiser | \$175.00 |

(3) The fee for appraisal course instructors shall be:

| | |
|-----------------|---------|
| Application | \$50.00 |
| Biennial Permit | \$50.00 |

(4) Fees for appraisal course related categories shall be:

| | |
|--|----------|
| For each sponsor application for evaluation for approval of education offering | \$200.00 |
| For each sponsor biennial education offering renewal | \$100.00 |
| For each evaluation of a previously nonaccredited education course | \$50.00 |

(5) Temporary Practice fee \$50.00

(6) Late Renewal of an inactive registration, license or certification \$25.00

(7) Biennial Registry fee for licensed and certified appraisers as required by the Appraisal Subcommittee \$50.00

(8) Duplicate registration, license or certification \$20.00

(9) Checks returned insufficient funds or account closed or an amount up to 5% of the face amount of the check, whichever is greater \$15.00

(10) Examination Review \$35.00

(11) Unlicensed activity fee for initial licensure and license renewal \$5.00

(12) The fee for request for a change of examination date, which must be in writing, shall be:

(a) Requests received by the examination vendor 3 or more days prior to the scheduled date No fee

(b) Requests received by the examination vendor less than 3 days prior to the scheduled date \$15.00

(13) Fingerprint Card Processing Fee \$47 ~~39.00~~

(14) Application fee for a registered ~~trainee assistant~~, licensed or certified appraiser to obtain a different status when such application is received by the department within 180 days prior to through 180 days after the renewal period established in Rule 61J1-2.002, Florida Administrative Code \$50.00

Specific Authority 475.614 FS. Law Implemented 215.34, 215.405, 455.217, 455.2281, 475.6147, 475.615, 475.618, 475.619, 475.630 FS. History--New 10-15-91, Amended 6-7-92, 5-6-93, Formerly 21VV-2.001, Amended 9-22-93, 7-5-94, 5-22-95, 8-20-96, 11-11-97, 10-1-98, 1-7-99, 11-15-99.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: Deceptive and Misleading Advertising
 RULE NO.: 64B2-15.001

PURPOSE AND EFFECT: The Board proposes to correct clerical errors and update the rule text.

SUBJECT AREA TO BE ADDRESSED: Deceptive and Misleading Advertising Prohibited; Policy; Definition.

SPECIFIC AUTHORITY: 460.405 FS.

LAW IMPLEMENTED: 456.062, 460.413(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-15.001 Deceptive and Misleading Advertising Prohibited; Policy; Definition.

(1) It is the policy of the Board of Chiropractic that advertising by licensed practitioners of the profession of chiropractic in this State should be regulated so as to effectuate the duty of the State of Florida to protect the health, safety and welfare of its residents, while not abridging any rights guaranteed to such practitioners or to the public by the Constitution of the United States and the State of Florida, as construed by the United States Supreme Court and the Florida Supreme Court. To that end, the Board permits the dissemination to the public of legitimate information, in accordance with the Board's rules, regarding the art and science of Chiropractic and where and from whom chiropractic services may be obtained, so long as such information is in no way fraudulent, false, deceptive, or misleading.

(2) No chiropractor shall disseminate or cause the dissemination of any advertisement or advertising which is in any way fraudulent, false, deceptive or misleading. Any advertisement or advertising shall be deemed by the Board to be fraudulent, false, deceptive, or misleading if it:

(a) Contains a misrepresentation ~~misrepresentation~~ of facts; or

(b) Is misleading or deceptive because in its content or in the context in which it is presented it makes only partial disclosure of relevant facts. More specifically, the Board finds that it is misleading and deceptive for a chiropractor to advertise free services (i.e. x-rays, examination, etc.) or services for a specific charge when in fact the chiropractor is transmitting a higher charge for the advertised service to a third party payor for payment. The Board finds it misleading and deceptive to fail to include the fact that x-rays and/or video fluoroscopy will only be given if medically necessary in an advertisement for free x-rays and/or video fluoroscopy. For the purpose of this rule, a verbal announcement or a minimum of 15 second exposure of the disclaimer clause required by Section 456.062, F.S., is required for free services advertised on radio or television. The Board also finds that it is misleading and deceptive for a chiropractor or a group of chiropractors to advertise a chiropractic referral service or bureau unless the advertisement specifically names each of the individual chiropractors who are participating in the referral service or bureau. Referral services that operate on a national or statewide basis, and that have at least 50 participating members, do not have to specifically name each individual chiropractor participating in the service on their advertisements. Any advertisement generated by or on behalf of a chiropractor must disclose that it is generated by or on behalf of a chiropractor by including a reference to the chiropractor by name and degree.

(c) through (h) No change.

(i) Contains any representation regarding a preferred area of practice or an area of practice in which the practitioner in fact specializes, which represents or implies that such specialized or preferred area of practice requires, or that the practitioner has received any license or recognition by the State of Florida or its authorized agents, which is superior to the license and recognition granted to any chiropractor who successfully meets the licensing requirements of Chapter 460, F.S. However, a chiropractor is not prohibited from advertising that he has attained Diplomate status in a specialty area recognized by the Board of Chiropractic; or

(j) ~~Reserved.~~ ~~(k)~~ Appears in any classified directory, listing, or compendium under a heading, which when considered together with the advertisement, has the capacity or tendency to be deceptive or misleading with respect to the profession or professional status of the chiropractor; or

(k) ~~(l)~~ Contains any other representation, statement or claim which is misleading or deceptive; or

~~(l)(m)~~ Contains a reference to any other an allopathic or osteopathic medical degree or uses the initials "M.D." or "D.O." or any other initials unless the chiropractic physician has actually received such a degree and is a licensed holder of such degree in the State of Florida. If the chiropractic physician is not licensed to practice allopathic or Osteopathic medicine in Florida, the chiropractic physician must disclose this fact, and the letterhead, business card, or other advertisement shall also include next to the reference or initials a statement such as "Not licensed as a medical doctor in the State of Florida" or "Licensed to practice chiropractic medicine only" in the same print size or volume.

(3) No change.

Specific Authority 460.405 FS. Law Implemented 456.062, 460.413(1)(d) FS. History—New 1-10-80, Amended 11-25-81, 5-12-83, Formerly 21D-15.01, Amended 4-19-89, Formerly 21D-15.001, 61F2-15.001, Amended 7-18-95, Formerly 59N-15.001, Amended 9-21-98, 5-20-99, 4-23-00, 11-19-00.

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: RULE NO.:

Citations 64B2-16.0075

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

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077, 460.405 FS.

LAW IMPLEMENTED: 456.035, 456.072(3), 456.073 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-16.0075 Citations.

(1) through (5) No change.

(6) Prior to issuance of the citation, the licensee investigator must confirm that the violation has been corrected or is in the process of being corrected.

(7) Once the citation, which constitutes discipline, becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, F.S., unless otherwise exempt from the provisions of Chapter 119, F.S. The citation and complaint may be considered as aggravating circumstances in future disciplinary actions pursuant to Rule 64B2-16.003, F.A.C.

(8) through (9) No change.

Specific Authority 456.077, 460.405 FS. Law Implemented 456.035, 456.072(3), 456.073 FS. History--New 1-19-92, Amended 4-26-93, Formerly 21D-16.0075, 61F2-16.0075, Amended 7-18-95, Formerly 59N-16.0075, Amended 2-11-99, 5-31-00, 10-7-02.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Requirements for Reactivation of an Inactive License
 RULE NO.: 64B7-28.0042

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

SUBJECT AREA TO BE ADDRESSED: Requirements for reactivation of an inactive license.

SPECIFIC AUTHORITY: 456.034, 456.036(9), 480.035(7), 480.0425 FS.

LAW IMPLEMENTED: 456.034, 456.036(9),(10), 480.0425 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Disciplinary Proceedings
 RULE NO.: 64B9-8.005

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

SUBJECT AREA TO BE ADDRESSED: The rule amendments are proposed to clarify the definition of "unprofessional conduct."

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 464.018 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON AUGUST 13, 2003, IN TALLAHASSEE, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE TITLE: Approved Providers
 RULE NO.: 64B10-15.0021

PURPOSE AND EFFECT: The Board proposes to conduct a rules workshop to review and discuss the existing language in this rule to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Approved providers.

SPECIFIC AUTHORITY: 468.1685, 468.1725 FS.

LAW IMPLEMENTED: 468.1715, 468.1725 FS.

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

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

PLACE: Marriott Tampa Westshore, 1001 North Westshore Boulevard, Tampa, Florida 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lucy Gee, Interim Executive Director, 4052 Bald Cypress Way, Tallahassee, Florida 32399

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the board with respect to any matter considered at this hearing, they will need a record of proceedings, and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

**Section II
 Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: State Uniform Transfer of High School Credits
 RULE NO.: 6A-1.09941

PURPOSE AND EFFECT: The purpose of the rule amendment is to identify the procedures relating to the acceptance of transfer work and credit for students. The effect will be a rule that clearly delineates the procedures.

SUMMARY: This rule identifies uniform procedures relating to the acceptance of transfer work and credit for students entering Florida's public schools.

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: 1003.25(3) FS.

LAW IMPLEMENTED: 1003.25(3) FS.

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

TIME AND DATE: 8:00 a.m., August 19, 2003

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon Koon, Office of Articulation, Department of Education, 325 West Gaines Street, Suite 1401, Tallahassee, Florida 32399, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 6A-1.09441 follows. See Florida Administrative Code for present text.)

6A-1.09941 State Uniform Transfer of High School Credits.

The purpose of this rule is to establish uniform procedures relating to the acceptance of transfer work and credit for students entering Florida's public schools. The procedures shall be as follows:

(1) Credits and grades earned and offered for acceptance shall be based on official transcripts and shall be accepted at face value subject to validation if required by the receiving school's accreditation. If validation of the official transcript is deemed necessary, or if the student does not possess an official transcript or is a home education student, credits shall be validated through performance during the first grading period as outlined in subsection (2) of this rule.

(2) Validation of credits shall be based on performance in classes at the receiving school. A student transferring into a school shall be placed at the appropriate sequential course level and should have a minimum grade point average of 2.0 at the end of the first grading period. Students who do not meet this requirement shall have credits validated using the Alternative Validation Procedure, as outlined in subsection (3) of this rule.

(3) Alternative Validation Procedure. If validation based on performance as described above is not satisfactory, then any one of the following alternatives shall be used for validation purposes as determined by the teacher, principal, and parent:

(a) Portfolio evaluation by the superintendent or designee;

(b) Written recommendation by a Florida certified teacher selected by the parent and approved by the principal;

(c) Demonstrated performance in courses taken through dual enrollment or at other public or private accredited schools;

(d) Demonstrated proficiencies on nationally-normed standardized subject area assessments;

(e) Demonstrated proficiencies on the FCAT; or

(f) Written review of the criteria utilized for a given subject provided by the former school.

Students must be provided at least ninety (90) days from date of transfer to prepare for assessments outlined in paragraphs (3)(d) and (3)(e) of this rule if required.

Specific Authority 1003.25(3) FS. Law Implemented 1003.25(3) FS. History--New 8-28-00, Formerly 6-1.099, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sharon Koon, Office of Articulation, 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: July 9, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2003

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Articulation Between Universities, Community Colleges, and School Districts
 RULE NO.: 6A-10.024

PURPOSE AND EFFECT: The purpose of this rule amendment is to provide for Advanced International Certificate of Education cut off scores to be used to grant postsecondary credit at community colleges and universities. The effect is consistency between all public community colleges and universities in Florida.

SUMMARY: This rule directs all postsecondary institutions to accept Advanced International Certificate of Education credit as approved by the Articulation Coordinating Committee.

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: 1007.01(2), 1007.27(9) FS.

LAW IMPLEMENTED: 1007.01(2), 1007.23(1), 1007.27(9) FS.

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

TIME AND DATE: 8:00 a.m., August 19, 2003

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon Koon, Office of Articulation, Department of Education, 325 West Gaines Street, Suite 1401, Tallahassee, Florida 32399, (850)245-0427

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.024 Articulation Between Universities, Community Colleges, and School Districts.

(1) through (5) No change.

(6) The associate in science degree is the career education degree of the community colleges. It is a two-year degree intended to prepare students for the workforce. The following provisions allow for articulation from an associate in science to a baccalaureate degree.

(a) through (b) No change.

(c) The Career Ladder Agreement – Beginning fall term 2000, all graduates of a Florida community college associate in science degree program listed in the Statewide Articulation Manual shall be granted admission to any of the universities in the State University System in the program designated to articulate with their degree, except for limited access programs and those requiring specific grades on particular courses for admission. Each State University System institution shall develop admissions criteria to ensure that associate in science degree students are evaluated on an equal basis with associate in arts degree graduates and native university students for admission into programs designated as limited access and those requiring specific grades on particular courses for admission.

1. through 2. No change.

3. The associate in science to bachelor of arts/bachelor of science articulation agreements between the State Board of Community Colleges and the State University System shall be documented and maintained in a Statewide Articulation Manual. The State Board of ~~Education Community Colleges~~ and the Board of ~~Governors Regents~~, in consultation with their member institutions, shall review periodically, as necessary, but no more than once a year, the provisions of the state articulation agreements and the prescribed curricula to ensure the continued effectiveness of the articulation between the A.S. and B.A./B.S. programs. Any recommendations for revisions to the state articulation agreements will be forwarded to the Articulation Coordinating Committee for review and approval.

(7) through (13) No change.

(14) Advanced International Certificate of Education Program (AICE). Transfer of Advanced International Certificate of Education credit under terms of this rule is mandatory, provided that the institution awarding the credit did so on the basis of the Articulation Coordinating Committee’s recommended minimum scores and maximum amount of credit guaranteed to transfer.

(14) through (23) renumbered (15) through (24) No change.

Specific Authority ~~1007.01(2), 1007.27(9) 229.053(1), 240.115(1) FS. Law Implemented 1007.01(2), 1007.23(1), 1007.27(9) 228.093(3)(d), 229.053(2)(e), 229.551(1)(f), 229.555(2), 229.814(5), 240.115, 240.116, 246.013 FS. History—New 5-5-75, Amended 10-7-75, 6-8-76, 8-22-77, 12-26-77, 3-28-78, 5-10-78, 7-2-79, 2-27-80, 5-27-81, 1-6-83, 4-5-83, 6-28-83, 1-9-85, Formerly 6A-10.24, Amended 8-4-86, 5-18-88, 5-29-90, 7-30-91, 10-4-93, 5-3-94, 1-2-95, 9-30-96, 6-15-9, 12-13-99, 8-14-00, 10-16-01.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Sharon Koon, Office of Articulation, 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: July 9, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2003

DEPARTMENT OF EDUCATION

Commission for Independent Education

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

PURPOSE AND EFFECT: The Commission proposes the rule amendment to update the minimum time guidelines for student refund policies.

SUMMARY: The proposed rule amendments change the minimum for student refunds for enrolled period less than the duration of an entire program from two weeks to one week.

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

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

SPECIFIC AUTHORITY: 1005.22(1)(e), 1., 1005.34 FS.

LAW IMPLEMENTED: 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 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: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-1.0032 Fair Consumer Practices

(1) through (5) No change.

(6) Each prospective student shall be provided a written copy, or shall have access to an electronic copy, of the institution's catalog prior to enrollment or the collection of any tuition, fees or other charges. The catalog shall contain the following required disclosures, and catalogs of licensed institutions must also contain the information required in subsections 6E-2.004(11) and (12), F.A.C.:

(a) through (h) No change.

(i) Student refund policies: This rule establishes the Commission's minimum refund guidelines for licensed institutions. Refund policies which pertain to students who are receiving Title IV Federal Student Financial Assistance or veterans' benefits shall be in compliance with applicable federal regulations. All institutions shall have an equitable prorated refund policy for all students, which shall be disclosed in the catalog and enrollment agreement or similar documents, and must be uniformly administered. Any nonrefundable fees or charges shall also be disclosed. The institution's refund policy shall provide a formula for proration of refunds based upon the length of time the student remains enrolled, up to a minimum of 40 percent of a program, if the student is charged tuition for an entire program; or 20 percent, if the institution charges the student for a term, quarter, semester, or other time period that is less than the duration of the entire program. As an alternative, an institution that charges tuition for a term, quarter, semester or other time period that is less than the duration of the entire program may establish a drop/add period which shall be no less than 10 percent of the period for which the student is financially committed, or one two weeks, whichever is less. If the student withdraws before the end of the drop/add period, the student will be refunded all tuition and fees, as well as any funds paid for supplies, books, or equipment which can be and are returned to the institution. The refund policy shall not consider that all or substantially all tuition for an entire program or term is earned when a student has been enrolled for only a minimal percentage of the program or term. The refund policy shall provide for cancellation of any obligation, other than a book and supply assessment for supplies, materials and kits which are not returnable because of use, within 3 working days from the student's signing an enrollment agreement or contract. Refunds shall be made within 30 days of the date that the institution determines that the student has withdrawn. Institutions need not keep attendance, but must adopt and publish an equitable policy by which withdrawal dates will be determined, which may include notification by the student or reports from faculty. This policy shall be submitted to the Commission before publication. Nonrefundable application fees for Florida students shall not exceed \$50. The requirements regarding refund policies as stated herein do not apply to dormitory or

meal fees. Refund policies for those fees, if charged, shall be set by the institution and also disclosed in conjunction with the refund policy.

(j) through (k) No change.

(7) through (10) No change.

Specific Authority 1005.22(1)(e)1., 1005.34 FS. Law Implemented 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 FS. History--New 10-19-93, Amended 4-2-96, 11-5-00, 1-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 6, 2003

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Medical Clinical Clerkship Programs

RULE NO.: 6E-2.0042

PURPOSE AND EFFECT: The Commission proposes the rule amendments to update an applicant medical school's licensure requirements for its medical clinical clerkship program.

SUMMARY: The proposed rule amendments address the responsibilities for adequate library resources and evaluation of the educational program.

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

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

SPECIFIC AUTHORITY: 1005.22(1)(e)1., 1005.31(2), (3),(11) FS.

LAW IMPLEMENTED: 1005.31(11) 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: Samuel Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-2.0042 Medical Clinical Clerkship Programs

(1) No change.

(2) Applications for licensure of clinical clerkship programs. In addition to submitting all the forms and documents, accurately, fully and satisfactorily completed as

required for each step of licensure in accordance with these rules, for the applicant medical school to be found qualified for licensure it must:

(a) through (c) No change.

(d) Ensure that the application contains sufficiently detailed information showing that the educational program, faculty planning, teaching, budgeting and allocation of other educational resources, faculty appointments and student assignments are coordinated and integrated with the overall program of the parent medical school. ~~Formal agreements shall be executed between the parent medical school and the teaching hospital or approved facility in which the students are to be engaged in clinical clerkships and shall be submitted to the Commission. The formal agreement between the parent medical school and the teaching hospital or approved facility shall vest responsibility and authority for the conduct and evaluation of the educational program in the parent medical school.~~

(e) through (l) No change.

(m) Demonstrate that the hospital provides access to adequate library facilities and resources available to the students to support the medical clerkship. ~~Demonstrate that the hospital has adequate library facilities to support a medical education program leading to the M.D. degree.~~

(n) No change.

(o) Formal agreements shall be executed between the parent medical school and the teaching hospital or approved facility in which the students are to be engaged in clinical clerkships and shall be submitted to the Commission. The formal agreement between the parent medical school and the teaching hospital or approved facility shall vest responsibility and authority for the conduct and evaluation of the educational program in the parent medical school.

(3) through (9) No change.

Specific Authority 1005.22(1)(e)1., 1005.31(2),(3),(11) FS. Law Implemented 1005.31(11) FS. History—New 12-6-84, Formerly 6E-2.042, Amended 11-27-88, 11-29-89, 10-19-93, 12-11-96, 1-7-03_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for Independent Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 6, 2003

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

DOCKET NO. 030405-TL

| | |
|--|------------|
| RULE TITLES: | RULE NOS.: |
| Uniform System of Accounts | 25-4.017 |
| Telephone Directory Advertising Revenues | 25-4.0405 |
| Annual Reports | 25-4.135 |
| Earnings Surveillance Report | 25-4.1352 |
| Annual Separations Cost Study | 25-4.1357 |

PURPOSE AND EFFECT: To update the version of the Uniform System of Accounts that telecommunications companies are required to follow and to streamline or eliminate certain reporting requirements applicable to rate-of-return regulated local exchange telecommunications companies.

SUMMARY: Most of these rules were last revised in 1996, in response to the 1995 changes in the Florida Statutes. The 1995 changes required that the Commission streamline its reporting requirements for small local exchange companies. Since 1996, all but one small local exchange company has elected price cap regulation. The one remaining company is the smallest, therefore we are simplifying our reporting requirements even further. Rule 25-4.017, F.A.C., is to be amended to update the reference to the most recent Uniform System of Accounts, Code of Federal Regulations, Part 32, as of October 1, 2002. Rule 25-4.0405, F.A.C., is to be amended to update for changes in the number of rate-of-return regulated local exchange telecommunication companies. The amendment eliminates companies to which the rule no longer applies. Rule 25-4.135, F.A.C., is to be amended to update the reference to the revised annual report form. Some schedules have been deleted, while other schedules have been consolidated in the form. The audit report requirement is removed. Rule 25-4.1352, F.A.C., is to be repealed as the earnings surveillance report has been incorporated as part of the annual report form.

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: 350.127(2) FS.

LAW IMPLEMENTED: 350.115, 350.117(1), 364.03(1), 364.07(2), 364.17, 364.037 FS.

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

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Christiana T. Moore, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULES IS:

25-4.017 Uniform System of Accounts.

(1) Each rate-of-return regulated local exchange telecommunications company shall maintain its accounts and records in conformity with the Uniform System of Accounts for Telecommunications Companies (USOA) as prescribed by the Federal Communications Commission in Title 47, Code of Federal Regulations, Part 32 Class A, revised as of October 1, 2002 ~~1994~~, and as modified below. Inquiries relating to interpretation of the USOA shall be submitted in writing to the Commission's Division of Economic Regulation.

(2) through (4) No change.

Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.17 FS. History—Revised 12-1-68, Amended 3-31-76, 8-21-79, 1-2-80, 12-13-82, 12-13-83, 9-30-85, Formerly 25-4.17, Amended 11-30-86, 4-25-88, 2-10-92, 8-11-92, 3-10-96, _____.

25-4.0405 Telephone Directory Advertising Revenues.

(1) The provisions of this rule, in conjunction with the provisions of Section 364.037, Florida Statutes (2002) (~~1995~~), shall govern the ratemaking treatment for telephone directory advertising revenues and expenses of rate-of-return regulated local exchange telecommunication companies.

(2) No change.

(3) The dollar amount of the 1982 Gross Profit Base for each local exchange telephone company is established pursuant to Section 364.037(3) as follows:

| <u>Local Exchange Company</u> | <u>1982 Gross Profit Base</u> |
|---|-------------------------------|
| ALLTEL Florida, Inc. | \$299,380 |
| Floral Telephone Company, Inc. | \$1,780 |
| Gulf Telephone Company | \$54,794 |
| Indiantown Telephone System, Inc. | \$28,319 |
| Northeast Florida Telephone Company, Inc. | \$20,676 |
| Quincy Telephone Company | \$68,580 |
| St. Joseph Telephone and Telegraph Company | \$148,538 |
| Southern Bell Telephone & Telegraph Company-Florida | \$102,215,043 |
| Frontier Telephone Company | \$8,830 |
| Vista-United Telecommunications | \$161,840 |

(4) The Average 1982 Access Lines for each local exchange telephone company is as follows:

| <u>Local Exchange Company</u> | <u>1982 Average Access Lines</u> |
|---|----------------------------------|
| ALLTEL Florida, Inc. | 36,435 |
| Floral Telephone Company, Inc. | 1,417 |
| Gulf Telephone Company | 5,934 |
| Indiantown Telephone System, Inc. | 1,501 |
| Northeast Florida Telephone Company, Inc. | 3,874 |
| Quincy Telephone Company | 7,089 |
| St. Joseph Telephone and Telegraph Company | 16,229 |
| Southern Bell Telephone & Telegraph Company—Florida | 2,993,084 |
| Frontier Telephone Company | 2,279 |
| Vista-United Telecommunications | 1,706 |

Specific Authority 350.127(2) FS. Law Implemented 364.037 FS. History—New 4-21-86, Formerly 25-4.405, Amended 4-25-88, 3-10-96, _____.

25-4.135 Annual Reports.

(1) Each rate-of-return regulated local exchange telephone company shall file annual reports with the Commission on Commission Form PSC/ECR Q18-T (~~(/)~~) (~~3/96~~) which is incorporated by reference into this rule. Form PSC/ECR Q18-T, entitled "Annual Report of Local Exchange Telephone Companies", may be obtained from the Commission's Division of Economic Regulation. These reports shall be verified by a responsible accounting officer of the company making the report and shall be due on or before April 30 for the preceding calendar year. A company may file a written request for an extension of time with the Division of Economic Regulation no later than April 30. One extension of 31 days will be granted upon request. A request for Commission approval of a longer extension must be accompanied by a statement of good cause and shall specify the date by which the report will be filed. Good cause means a demonstration that the company has worked diligently to prepare the report and that

the additional time period requested to complete and submit the report is both reasonable and necessary given the company's particular circumstances.

~~(2) The company shall also file with the original and each copy of the annual report form, or separately within 30 days, a letter or report, signed by an independent certified public accountant, attesting to the conformity in all material respects of the following schedules and their applicable notes of Form PSC/ECR 18 with the Commission's applicable uniform system of accounts and published accounting releases:~~

- ~~(a) Schedule B-1 Balance Sheet,~~
- ~~(b) Schedule B-2 Statement of Cash Flows, and~~
- ~~(c) Schedule I-1 Income Statement.~~

~~(3)(a) Each company shall file with the Commission an audit report issued by an independent auditor commenting on the company's compliance with its Cost Allocation Manual (CAM) or written accounting procedures for nonregulated operations. Beginning January 1, 1996, the compliance audit shall be performed no less than once every three years. The audit report shall be filed with the annual report or within 30 days of filing the annual report.~~

~~(b) Each company shall file, along with the audit report, a list of all incidents of non-compliance with the CAM or written accounting procedures for nonregulated operations. This list shall include all errors and irregularities detected by the independent auditor during the audit, regardless of materiality.~~

~~(c) The expense of the audit shall be separately identified and shall not be chargeable to expense for ratemaking purposes. The Commission may, upon sufficient showing, modify or waive these requirements.~~

Specific Authority 350.127(2) FS. Law Implemented 364.17 FS. History--New 12-27-94, Amended 3-10-96, _____.

25-4.1352 Earnings Surveillance Report.

Specific Authority 350.127(2) FS. Law Implemented 364.03(1), 350.117(1) FS. History--New 11-18-82, Formerly 25-4.245, Amended 8-21-90, Formerly 25-4.0245, Amended 6-10-94, 3-10-96, Repealed _____.

25-4.1357 Annual Separations Cost Study.

Specific Authority 350.127(2) FS. Law Implemented 364.07(2) FS. History--New 10-31-93, Amended 3-10-96, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dave Mailhot

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2003, Vol. 29, No. 11

DEPARTMENT OF CORRECTIONS

| | |
|-----------------------------------|------------|
| RULE TITLE: | RULE NO.: |
| Inmate Death Notification Process | 33-602.112 |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify notification responsibilities of staff in the event of an inmate death.

SUMMARY: The proposed rule provides for notification of certain government and law enforcement entities by the Inspector General, rather than institution staff, in the event of an inmate's death. The proposed rule clarifies when it is not necessary to notify the Anatomical Board, and provides for consideration of whether the inmate is entitled to burial in a national cemetery as a veteran of the armed forces in accordance with s. 406.50, F.S.

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: 406.50-.54 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:

33-602.112 Inmate Death Notification Process.

(1) Notice of Death. Upon the death of an inmate while in the custody of the department:

(a) The institution shall immediately notify:

~~1. The district medical examiner of the district in which the death occurred;~~

~~2. The State Attorney of the judicial circuit in which the death occurred;~~

~~3.~~ The person designated by the inmate to receive notice of his death; the chaplain will normally be responsible for giving or arranging such notice;

~~4.~~ The Office of the Inspector General duty officer via emergency action center, as well as the local institution inspector;

~~5.~~ The Office of Health Services;

~~6.~~ Any authorized organ donor organization which has received prior approval from the deceased for removal and donation of organs; and

~~7.~~ In the case of the death of a foreign national, the nearest consulate of that national's country.

(b) The Office of the Inspector General shall immediately notify:

1. The district medical examiner of the district in which the death occurred.

2. The State Attorney of the judicial circuit in which the death occurred.

3. The Florida Department of Law Enforcement.

(c)(b) Notice of the death shall be given to the Anatomical Board at the University of Florida Health Science Center if the inmate was indigent or if the body is unclaimed or is required to be disposed of at state expense. Notice to the Anatomical Board is not required when:

- 1. Death was caused by a crushing injury;
- 2. The deceased had a contagious disease;
- 3. An autopsy was required to determine cause of death; ~~or~~
- 4. The body was in a state of severe decomposition; or
- 5. A family member objects to use of the body for medical education and research.

(2) No change.

(3) If the body of the deceased inmate is not claimed as outlined in (2)(c), disposal shall be by burial or cremation, as determined by the warden or his designee, based on cost considerations and available space, locally or at the department's designated cemetery, and whether the deceased inmate is entitled to burial in a national cemetery as a veteran of the armed forces. The warden or his designee shall make a reasonable effort, including contacting the county veterans service office or regional office of the United States Department of Veterans Affairs, to determine if the deceased inmate is entitled to burial in a national cemetery as a veteran of the armed forces. When cremation is the option selected for disposal, the institution or facility shall:

(a) Ensure that cremation is not prohibited by the tenets of the faith preference of the deceased inmate.

(b) Inform family members, whenever possible and practical, that disposal of the body is to be by cremation.

(4) No change.

Specific Authority 944.09 FS. Law Implemented ~~245-06, 245-08, 382, 406.50-54, 936~~ FS., Article 37 of the Vienna Convention on Consulate Relations. History--New 10-8-76, Amended 9-24-81, Formerly 33-3.09, Amended 6-2-88, 2-18-90, 2-12-97, Formerly 33-3.009, Formerly 33-401.301, Amended 3-25-02, _____.

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: June 30, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 6, 2003

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE TITLE: Forms and Instructions

RULE NO.: 40D-1.659

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to incorporate a new form relating to surface water permits into the District's rules.

SUMMARY: Forms that the District uses in dealings with the public must be formally adopted by rule pursuant to Section 120.55(1)(a)(4), Florida Statutes. Section J of the Joint Application for Environmental Resource Permit/Authorization to use State Owned Submerged Lands/Federal Dredge and Fill Permit FORM 547.27/ERP (/_/_) has not previously been incorporated into the District's rules. The purpose and effect of this rulemaking is to incorporate this form into the District's rules in compliance with the requirements of the above-referenced statutory provision.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-1.659, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.339, 373.413, 373.414, 373.416, 373.419, 373.421 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: Jack R. Pepper, Senior Attorney, Office of General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this Chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (20) No change.

SURFACE WATER

Application for Permit – Used for Docks or Piers and Bulkheads

(1) JOINT APPLICATION FOR: ENVIRONMENTAL RESOURCE PERMIT/AUTHORIZATION TO USE STATE OWNED SUBMERGED LANDS/FEDERAL DREDGE AND FILL PERMIT FORM 547.27/ERP (/)

(2) through (14) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.339, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.1.901, 40D-1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-95, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack R. Pepper, Senior Attorney, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

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

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

DEPARTMENT OF THE LOTTERY

RULE TITLE: Code of Ethics RULE NO.: 53-22.001

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 53-22.001, F.A.C., is to repeal a rule in which the provisions are obsolete.

SUMMARY: The Department of the Lottery is repealing this permanent rule regarding the Code of Ethics in which the provisions are obsolete. Emergency Rule 53ER03-33, F.A.C., was filed on June 25, 2003, and sets forth the current provisions for the Lottery’s Code of Ethics.

SPECIFIC AUTHORITY: 24.105(20) FS.

LAW IMPLEMENTED: 24.105(20) 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:

TIME AND DATE: 9:00 a.m., August 18, 2003

PLACE: Department of the Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane D. Schmidt, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULE IS:

53-22.001 Code of Ethics.

Specific Authority 24.105(20) FS. Law Implemented 24.105(20) FS. History—New 2-25-93, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane D. Schmidt, Office of the General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr., General Counsel

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE CHAPTER TITLE: General RULE CHAPTER NO.: 61C-1

RULE TITLES: Licensing and Inspection Requirements License Fees RULE NOS.: 61C-1.002 61C-1.008

PURPOSE AND EFFECT: The purpose of this rule development is to implement the statutory requirements of Section 509.032, Florida Statutes, as amended by CS/CS for SB 990 during the 2002 Legislature. This rule provides revisions to licensing requirements for temporary event food vendors, inspection frequency of transient and non-transient apartments, and license fees for establishments licensed by the Division of Hotels and Restaurants.

SUMMARY: The proposed rule provides requirements for licensing of temporary event food vendors, the inspection frequency for transient and non-transient apartments and license fees for establishments licensed by the Division of Hotels and Restaurants. Copies of the rule may be obtained from: Lee Cornman, Division of Hotels and Restaurants Tallahassee Office, (850)487-1395.

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

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

SPECIFIC AUTHORITY: 509.032(6), 509.251, 509.302 FS.

LAW IMPLEMENTED: 509.032(2)(a), 509.032(3)(c), 509.251(1), 509.251(2), 509.302(3) FS.

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

TIME AND DATE: 3:00 p.m. (EST), Friday, August 8, 2003

PLACE: Secretary’s Conference Room, Room 259, The Johns Building, 725 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting: Lee M. Cornman,

Operational Review Specialist, (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lee M. Cornman, Operational Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1012, (850)487-1395

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.002 Licensing and Inspection Requirements.

(1) through (3) No change.

(4) No change.

(a) through (b) No change.

(c) Resort Condominium and Resort Dwelling – each public lodging establishment classified as a resort condominium or resort dwelling as defined in Section 509.242, F.S., shall obtain a single, group or collective license pursuant to Section 509.251, F.S., prior to commencing operation.

1. A single license may include multiple units within a building or group of buildings owned and operated by an individual person or entity, but not an agent licensed under Chapter 475, F.S.

2. A group license is a license issued by the division to a licensed agent to cover all rooms or units within a building or group of buildings in a single complex. A group license shall only cover those rooms or units which are held out to the public as a place regularly rented to guests as defined in Chapter 509, F.S.

3. A collective license is a license issued by the division to a licensed agent who represents a collective group of rooms or units found on separate locations of resort condominiums or resort dwellings. A collective license may not be issued for more than 75 units per license and is restricted to counties within one district.

4. through 5. No change.

(d) No change.

(5) No change.

(a) Nonseating:

1. through 3. No change.

4. Temporary public food service establishments and vendors.

a. Temporary public food service establishments are classified as those establishments operated at temporary food service events as defined in Section 509.013(8), F.S. Each temporary public food service establishment shall be inspected by the division each time the establishment sets up for operation. If the temporary public food service establishment does not meet minimum sanitation standards as provided in

Chapters 61C-1 and 61C-4, F.A.C., food service operations shall be discontinued until corrections are complete and verified by the division.

b. Public food service establishments that have a current license may operate one facility at a single temporary event of three days or less in duration as part of the existing license. Each additional facility operated by the same licensee must acquire a separate temporary food service event license.

5. through 6. No change.

(b) Seating – seating establishments are classified as those public food service establishments that provide and maintain accommodations for consumption of food on the premises of the establishment or under the control of the establishment. The operator of the establishment is responsible for providing the number of seats available to the public to the division prior to licensing. Any changes in the number of seats provided which may affect the license fee, the Florida Clean Indoor Air Act, fire safety, bathroom requirements or any other sanitation and safety requirements provided in law or rule, shall be reported immediately to the division by the operator.

(c) Plan Reviews and Variances.

1. through 4. No change.

(d) No change.

(6) through (7) No change.

(8) General Inspection Requirements.

(a) through (c) No change

(d) Inspection Frequency.

1. Except as otherwise provided in this section, public lodging and food service establishments shall be inspected a minimum of three times annually.

2. Nontransient rooming houses ~~establishments~~ and vending machines shall be inspected a minimum of twice annually.

3. Vendors at temporary food service events shall be inspected at the time of licensure and shall be inspected at such other times as the division determines is necessary to ensure the public's health, safety, and welfare ~~Resort condominiums, resort dwellings, and a minimum of once annually.~~

4. Nontransient and transient apartments shall be inspected once annually.

~~5.4.~~ Establishments licensed for a partial year will receive a prorated number of inspections, including the opening inspection, during the first partial year of operation.

Specific Authority 509.032(2)(d), 509.032(6), 509.241(1) FS. Law Implemented 213.0535, 509.032(2)(a),(d),(e), 509.032(6), 509.241(1), 509.241(3), 509.251, 559.79(1) FS. History—Amended 1-20-63, 9-19-63, 5-20-64, 2-23-66, 8-9-68, Revised 2-4-71, Amended 10-18-71, Repromulgated 12-18-74, Amended 9-1-83, 10-1-83, Formerly 7C-1.02, Amended 1-30-90, 12-31-90, 2-27-92, 6-15-92, Formerly 7C-1.002, Amended 3-31-94, 3-15-95, 10-9-95, 9-25-96, 5-11-98, _____.

61C-1.008 License Fees.

(1) through (3) No change.

(4) Amount of License Fee – Public Lodging Establishment. The license fee to conduct a public lodging establishment shall be in accordance with the following schedule exclusive of the categories of fee adjustments set forth in subsection 61C-1.008(1) and (3), F.A.C.:

(a) TRANSIENT LODGING/EXCLUDING TRANSIENT APARTMENTS AND RESORT CONDOMINIUMS AND DWELLINGS.

| NUMBER OF UNITS | BASIC FEE | INCREMENTAL UNIT FEE | HEP FEE | TOTAL FEE |
|-----------------|-----------|----------------------|---------|-----------|
| SINGLE UNIT | \$170+25 | \$10 | \$106 | \$190+44 |
| 2-25 | \$170+25 | \$20 | \$106 | \$200+54 |
| 26-50 | \$170+25 | \$35 | \$106 | \$215+66 |
| 51-100 | \$170+25 | \$50 | \$106 | \$230+84 |
| 101-200 | \$170+25 | \$75 | \$106 | \$255+206 |
| 201-300 | \$170+25 | \$105 | \$106 | \$285+236 |
| 301-400 | \$170+25 | \$135 | \$106 | \$315+266 |
| 401-500 | \$170+25 | \$160 | \$106 | \$340+294 |
| OVER 500 | \$170+25 | \$190 | \$106 | \$370+324 |

(b) TRANSIENT APARTMENTS.

| NUMBER OF UNITS | BASIC FEE | INCREMENTAL UNIT FEE | HEP FEE | TOTAL FEE |
|-----------------|-----------|----------------------|---------|-----------|
| SINGLE UNIT | \$125 | \$10 | \$10 | \$145 |
| 2-25 | \$125 | \$20 | \$10 | \$155 |
| 26-50 | \$125 | \$35 | \$10 | \$170 |
| 51-100 | \$125 | \$50 | \$10 | \$185 |
| 101-200 | \$125 | \$75 | \$10 | \$210 |
| 201-300 | \$125 | \$105 | \$10 | \$240 |
| 301-400 | \$125 | \$135 | \$10 | \$270 |
| 401-500 | \$125 | \$160 | \$10 | \$295 |
| OVER 500 | \$125 | \$190 | \$10 | \$325 |

(c)(b) RESORT CONDOMINIUMS AND RESORT DWELLINGS.

1. through 2. No change.

3.a. RESORT CONDOMINIUMS AND DWELLINGS/COLLECTIVE LICENSE.

| BASIC FEE | PER UNIT FEE | HEP FEE | TOTAL FEE |
|-----------|--------------|---------|-----------|
| \$150+05 | \$105 | \$106 | VARIES |

b. RESORT CONDOMINIUMS AND DWELLINGS/GROUP AND SINGLE LICENSE.

| NUMBER OF UNITS | BASIC FEE | INCREMENTAL UNIT FEE | HEP FEE | TOTAL FEE |
|-----------------|-----------|----------------------|---------|-----------|
| SINGLE UNIT | \$150+05 | \$10 | \$106 | \$170+24 |
| 2-25 | \$150+05 | \$20 | \$106 | \$180+34 |
| 26-50 | \$150+05 | \$35 | \$106 | \$195+46 |
| 51-100 | \$150+05 | \$50 | \$106 | \$210+64 |
| 101-200 | \$150+05 | \$75 | \$106 | \$235+86 |
| 201-300 | \$150+05 | \$105 | \$106 | \$265+246 |
| 301-400 | \$150+05 | \$135 | \$106 | \$295+246 |
| 401-500 | \$150+05 | \$160 | \$106 | \$320+274 |
| OVER 500 | \$150+05 | \$190 | \$106 | \$350+304 |

(d)(e) NONTRANSIENT APARTMENTS LODGING.

| NUMBER OF UNITS | BASIC FEE | INCREMENTAL UNIT FEE | HEP FEE | TOTAL FEE |
|-----------------|-----------|----------------------|---------|-----------|
| 4 OR LESS | 0 | 0 | 0 | 0 |
| 5-25 | \$95 | \$20 | \$106 | \$125+24 |
| 26-50 | \$95 | \$35 | \$106 | \$140+36 |
| 51-100 | \$95 | \$50 | \$106 | \$155+54 |
| 101-200 | \$95 | \$75 | \$106 | \$180+76 |
| 201-300 | \$95 | \$105 | \$106 | \$210+206 |
| 301-400 | \$95 | \$135 | \$106 | \$240+236 |
| 401-500 | \$95 | \$160 | \$106 | \$265+264 |
| OVER 500 | \$95 | \$190 | \$106 | \$295+294 |

(e) NONTRANSIENT ROOMING HOUSES.

| NUMBER OF UNITS | BASIC FEE | INCREMENTAL UNIT FEE | HEP FEE | TOTAL FEE |
|-----------------|-----------|----------------------|---------|-----------|
| 4 OR LESS | 0 | 0 | 0 | 0 |
| 5-25 | \$140 | \$20 | \$10 | \$170 |
| 26-50 | \$140 | \$35 | \$10 | \$185 |
| 51-100 | \$140 | \$50 | \$10 | \$200 |
| 101-200 | \$140 | \$75 | \$10 | \$225 |
| 201-300 | \$140 | \$105 | \$10 | \$255 |
| 301-400 | \$140 | \$135 | \$10 | \$285 |
| 401-500 | \$140 | \$160 | \$10 | \$310 |
| OVER 500 | \$140 | \$190 | \$10 | \$340 |

(5) Amount of License Fee – Public Food Service Establishment. The license fee for a public food service establishment shall be in accordance with the following schedule exclusive of the categories of fee adjustments set forth in subsections 61C-1.008(1) and (3), F.A.C.:

(a) Nonseating:

1.

| | BASIC FEE | SERVICE TYPE FEE | EPIDEMIOLOGICAL FEE | HEP FEE | TOTAL FEE |
|--------------------------------|-----------|------------------|---------------------|---------|-----------|
| Permanent | \$220+75 | \$0 | \$12+0 | \$106 | \$242+94 |
| Mobile Food Dispensing Vehicle | \$185+40 | \$135 | \$17+4 | \$106 | \$347+295 |
| Catering | \$185+40 | \$55 | \$13+0 | \$106 | \$263+244 |

2.

| | BASIC FEE | EPIDEMIOLOGICAL FEE | HEP FEE | TOTAL FEE |
|--|-----------|---------------------|---------|-----------|
| Temporary Public Food Service Establishments and Vendors | \$77 | \$42 | \$106 | \$9185 |
| 1-3 Day events | \$9095 | \$54 | \$106 | \$105 |
| 4 through 30-day events | \$942 | \$48 | \$10 | \$1000 |
| Annual vendor | | | | |
| Vending Machines | \$10 | \$1 | \$106 | \$2147 |

3. Theme Park Food Carts.

| No. of Carts | Basic Fee | Capacity Fee | Epidemiologica l Fee | HEP Fee | Total Fee |
|--------------|-----------|--------------|----------------------|---------|-----------|
| 1-5 | \$185440 | \$55 | \$1240 | \$106 | \$262244 |
| 6-10 | \$185440 | \$65 | \$1340 | \$106 | \$273224 |
| 11-15 | \$185440 | \$85 | \$1444 | \$106 | \$294242 |
| 16-20 | \$185440 | \$105 | \$1542 | \$106 | \$315263 |
| 21-25 | \$185440 | \$125 | \$1643 | \$106 | \$336284 |
| 26 or more | \$185440 | \$145 | \$1744 | \$106 | \$357305 |

(b) Seating:

| No. of Seats | Basic Fee | Capacity Fee | Epidemiological Fee | HEP Fee | Total Fee |
|--------------|-----------|--------------|---------------------|---------|-----------|
| 1-49 | \$185440 | \$55 | \$1240 | \$106 | \$262244 |
| 50-149 | \$185440 | \$65 | \$1340 | \$106 | \$273224 |
| 150-249 | \$185440 | \$85 | \$1444 | \$106 | \$294242 |
| 250-349 | \$185440 | \$105 | \$1542 | \$106 | \$315263 |
| 350-499 | \$185440 | \$125 | \$1643 | \$106 | \$336284 |
| 500 or more | \$185440 | \$145 | \$1744 | \$106 | \$357305 |

(c) No change.

1. through 2. No change.

(6) No change.

Specific Authority 509.032(6), 509.251 FS. Law Implemented 509.013, 509.032(2)(e), 509.032(3)(c), 509.251, 509.302(3) FS. History—New 7-31-79, Revised 9-1-80, Formerly 7C-1.08, Amended 5-10-89, 9-10-89, 10-31-89, 4-3-90, 12-31-90, 9-11-91, 2-27-92, 7-6-9, 8-23-92, 11-4-92, 4-4-93, Formerly 7C-1.008, Amended 9-20-93, 12-22-93, 6-29-95, 10-9-95, 9-25-96, 5-11-98, 9-21-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lee M. Cornman, Operational Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Diane Carr, Secretary, Department of Business and Professional Regulation

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 20, 2003

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

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Criminal Background Check Fee
PURPOSE AND EFFECT: The Board proposes to repeal the existing rule.

RULE NO.: 64B2-12.020

SUMMARY: The Board proposes to repeal an unnecessary rule in its entirety relating to Criminal Background Check Fee. 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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 215.405, 460.405 FS.

LAW IMPLEMENTED: 456.025, 460.406(1)(g), 460.407(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.020 Criminal Background Check Fee.

Specific Authority 215.405, 460.405 FS. Law Implemented 456.025, 460.406(1)(g), 460.407(1) FS. History—New 7-12-99, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2003

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Continuing Education
RULE NO.: 64B2-13.004

PURPOSE AND EFFECT: The Board proposes to delete a section and add new provisions to this rule.

SUMMARY: The Board is requiring that Continuing Education Providers furnish a special disclaimer to Florida licensees for any course that may fall outside the scope of practice of chiropractic medicine or is advertised as certified. The Board is deleting a portion of text, and adding a provision exempting current Board members from the laws and rules requirement.

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 provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.036(10), 460.408 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.004 Continuing Education.

(1) through (2) No change.

(3) Continuing education providers, including providers of AIDS and risk management, seeking initial approval by the Board shall pay a fee of \$250. Continuing education providers seeking renewal of provider status shall also pay a \$250 fee each biennium. To receive Board approval, a continuing education program:

(a) through (d) No change.

(e) If any course or program is outside the scope of practice or there is reasonable doubt as to whether such course falls within the parameters of chiropractic or constitutes an adjunctive modality outside the scope of practice, the course sponsor or provider must furnish each Florida licensee attending the program and include in all advertised material a dated written disclaimer in 12-point font which states: THIS COURSE HAS BEEN OFFERED FOR EDUCATIONAL PURPOSES AND FOR CONTINUING EDUCATION CREDIT HOURS ONLY. THE INFORMATION TAUGHT, DEMONSTRATED, OR DISCUSSED IN THIS COURSE MAY NOT BE USED OR PRACTICED BY FLORIDA LICENSED CHIROPRACTIC PHYSICIANS UNLESS AND UNTIL THE BOARD HAS DECLARED IT TO BE WITHIN THE SCOPE OF PRACTICE AS DEFINED IN SECTION 460.403, FLORIDA STATUTES. If a course provider

advertises that a course or program is "certified," the provider shall disclose by whom the course is recognized as certified. Failure to provide proof of having provided this disclaimer to participant licensees on the date that the course or program was offered or falsely representing that the Florida Board of Chiropractic Medicine has certified a course, shall constitute grounds for losing course sponsor or providership status.

(4) through (8) No change.

~~(9) A member of the Board of Chiropractic Medicine, or a previous member serving in a probable cause panel, may obtain five (5) hours of continuing chiropractic education in the subject area of risk management for attendance at one Board meeting or probable cause panel. The maximum CE hours allowable per biennium under this paragraph shall be ten (10).~~

(10) through (13) renumbered (9) through (12) No change.

(13) Board members are exempt from the laws and rules requirement during their term on the Board.

Specific Authority 460.408(3) FS. Law Implemented 456.013(6), 456.036(10), 460.408 FS. History—New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2002

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Qualifications for Examination

RULE NO.: 64B9-3.002

PURPOSE AND EFFECT: The Board proposes the rule amendments to update the English proficiency requirements for certification to take the licensure examination.

SUMMARY: The proposed rule amendments add new examinations and academic courses to address the evidence needed to demonstrate competency in English.

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: 464.006 FS.

LAW IMPLEMENTED: 112.011(1)(b), 455.564(1), 464.008 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON AUGUST 13, 2003 IN TALLAHASSEE, FLORIDA.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-3.002 Qualifications for Examination.

(1) An applicant seeking certification to take the licensure examination shall submit, on forms provided by the Department, evidence that he or she meets the qualifications prescribed by the Nurse Practice Act, Chapter 464, F.S. Such evidence shall consist of:

(a) through (d) No change.

(e) Successful completion of any one of the approved English competency examinations with: Proof of the ability to communicate in the English language as indicated by one of the following:

1. A minimum score of 540 (207 on computerized version) 550 on the Test of English as a Foreign Language (TOEFL) TOEFL Examination, a minimum score of 80% on MELAB, or a minimum MELAB converted score of 80% on the Michigan ECPE Examination;

2. A minimum score of 79% on the Michigan English Language Assessment Battery (MELAB);

3. A minimum MELAB converted score of 79% on the Michigan Examination for the Certificate of Proficiency in English (ECPE Examination);

4. A minimum score of 725 on Test of English for International Communication (TOEIC);

5. A minimum score of 6.5 overall with a 7.0 on the spoken portion on the academic version of International English Language Testing System (IELTS);

~~6.2.~~ Completion of a nursing program given in English in another country;

~~7.3.~~ A passing score on a nursing licensing examination which is given in English;

~~8.4.~~ A certificate from the Commission on Graduates from Foreign Nursing Schools or other agency which indicates successful completion of TOEFL, TOEIC, or IELTS;

9. Completion of a college level course for academic credit in a U.S. institution; or

10. Completion of English as a Second Language (ESOL) through Level IV.

(f) No change.

(2) through (5) No change.

Specific Authority 464.006 FS. Law Implemented 112.011(1)(b), 455.564(1), 464.008 FS. History--New 4-27-80, Amended 3-16-81, 8-2-81, 7-11-83, Formerly 21O-8.21, Amended 3-3-87, 12-8-87, 6-8-88, Formerly 21O-8.021, Amended 1-30-94, Formerly 61F7-3.002, Amended 9-25-96, Formerly 59S-3.002, Amended 7-27-98, 4-19-00, 5-8-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 13, 2003

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Licensure by Endorsement

RULE NO.: 64B9-3.008

PURPOSE AND EFFECT: The Board proposes the rule amendments to clarify the licensure verification required from applicants for licensure by endorsement.

SUMMARY: The proposed rule amendments specify licensure confirmation from the original state or territory where licensure was obtained and from where the applicant holds an active license.

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: 464.006, 464.009 FS.

LAW IMPLEMENTED: 464.006, 464.009 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON AUGUST 13, 2003 IN TALLAHASSEE, FLORIDA.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-3.008 Licensure by Endorsement.

(1) An applicant for licensure by endorsement must apply to the Department on prescribed forms, including verification of licensure forms from the original state or territory in which licensure was obtained and from a state or territory in which the applicant holds an active license every state in which the applicant has been licensed, and pay the required fee. If the applicant:

(a) through (b) No change.

(2) through (3) No change.

Specific Authority 464.006, 464.009 FS. Law Implemented 464.006, 464.009 FS. History--New 4-27-80, Amended 7-12-81, 7-11-83, 7-3-84, Formerly 210-8.26, Amended 3-3-87, 12-8-87, 8-3-89, 11-19-91, Formerly 210-8.026, Amended 9-7-93, Formerly 61F7-3.008, Amended 1-1-96, Formerly 59S-3.008, Amended 2-18-98, 5-8-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 3, 2003

DEPARTMENT OF HEALTH

School Psychology

RULE TITLE: Disciplinary Guidelines
RULE NO.: 64B21-504.001

PURPOSE AND EFFECT: The Department proposes a new rule establishing disciplinary guidelines for the profession of school psychology.

SUMMARY: This new rule proposes to set forth and establish a meaningful range of disciplinary guidelines in relation to school psychologists.

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

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

SPECIFIC AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.072, 456.079, 490.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, 4052 Bald Cypress Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

DISCIPLINARY GUIDELINES

64B21-504.001 Disciplinary Guidelines.

(1) When the Department finds that an applicant or a licensee has committed any of the acts set forth in Section 490.009(1) or 456.072(1), F.S., it shall issue a final order imposing one or more of the penalties listed in Section 456.072(2), F.S., as recommended in the following disciplinary guidelines. In addition to any other discipline imposed, the Department, pursuant to Section 456.072(4), F.S., shall assess the costs related to the investigation and prosecution of a case.

If the violation is for fraud or making false or fraudulent representation, the Department shall impose a fine of \$10,000 per count or offense.

(a) Section 490.009(1)(a), F.S., or Section 456.072(1)(h), F.S.:

1. Attempting to obtain, obtaining, or renewing a license under Chapter 490, F.S., by bribery – a fine of \$1,000 up to \$5,000 and probation up to revocation. For a second offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation up to revocation. After a second offense, a fine of \$10,000 and revocation.

2. Attempting to obtain, obtaining, or renewing a license under Chapter 490, F.S., by fraudulent misrepresentation – a fine of \$10,000 and from probation up to revocation. For a second offense, a fine of \$10,000 and revocation.

3. Attempting to obtain, obtaining, or renewing a license under Chapter 490, F.S., through an error of the Department – a fine of \$1,000 up to \$5,000 and a reprimand up to probation. For a second offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation up to revocation. After a second offense, a fine of \$10,000 and revocation.

(b) Section 490.009(1)(b), F.S., or Section 456.072(1)(f), F.S.: having a license to practice a comparable profession acted against, including the denial of certification or licensure by another state, territory, or country – the penalty against a licensee shall be a penalty concurrent with that of the other jurisdiction and an administrative fine up to \$10,000. After the first offense, action shall be consistent with the disciplinary guidelines for a repeat offense had the violation occurred in Florida. In the case of an applicant, the penalty shall range from probation to permanent denial of licensure and an administrative fine up to \$10,000. If the violation included sexual misconduct, the penalty shall be permanent denial of licensure.

(c) Section 490.009(1)(c), F.S., or Section 456.072(1)(c), F.S.: entering a plea of nolo contendere to, regardless of adjudication, or guilt of a crime in any jurisdiction which relates to the practice or the ability to practice – for a misdemeanor, a fine of \$1,500 up to \$5,000 and probation up to suspension. For a felony, a fine of \$7,500 up to \$10,000 and probation up to revocation. After the first offense, for either a misdemeanor or a felony, the penalty shall be suspension of license until such time as the licensee can, to the Department's satisfaction, demonstrate rehabilitation, and a fine up to \$10,000. In the case of an applicant, the penalty shall be from probation to permanent denial of licensure and a fine up to \$10,000.

(d) Section 490.009(1)(d), F.S.: false, deceptive, or misleading advertising, or obtaining a fee or other thing of value upon the licensee's representation that beneficial results from any treatment will be guaranteed – a fine of \$1,000 up to

\$5,000 and a reprimand. For a second offense, a fine of \$2,500 up to \$10,000 and probation. After the second offense, a fine of \$10,000 and suspension up to revocation.

(e) Section 490.009(1)(e), F.S.: advertising, practicing, or attempting to practice under a name other than one's own – a fine of \$1,000 up to \$5,000 and a reprimand. For a second offense, a fine of \$2,500 up to \$10,000 and probation. After the second offense, a fine of \$10,000 and suspension up to revocation.

(f) Section 490.009(1)(f), F.S.: maintaining a professional association with any person who the licensee knows, or has reason to believe, is in violation of Chapter 490, F.S., or of a rule of the Department – a fine of \$1,000 up to \$5,000 and a reprimand. For a second offense, a fine of \$2,500 up to \$10,000 and probation. After the second offense, a fine of \$10,000 and suspension up to revocation.

(g) Section 490.009(1)(g), F.S., or Section 456.072(1)(j), F.S.: knowingly aiding, assisting, procuring, or advising a non-licensed person to practice school psychology or hold himself or herself out as a school psychologist – for a first offense a fine of \$5,000 up to \$10,000 and probation up to suspension followed by probation. After the first offense a fine of \$7,500 up to \$10,000 and revocation.

(h) Section 490.009(1)(h), F.S., or Section 456.072(1)(k), F.S.: failing to perform any statutory or legal obligation placed upon the licensee under Chapters 490 or 456, F.S., or any rules promulgated pursuant to those chapters – a fine up to \$2,500 and a letter of concern up to probation. For a second offense, a fine up to \$7,500 and suspension followed by probation. After the second offense, a fine up to \$10,000 and revocation.

(i) Section 490.009(1)(i), F.S., or Section 456.072(1)(l), F.S.: willfully or negligently filing of a false report or record, or failing to file a report or record required by law – a fine of \$2,500 up to \$5,000 and a reprimand up to probation. After the first offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation up to revocation.

(j) Section 490.009(1)(j), F.S.: kickback, rebate, bonus, or other remuneration for receiving or referring a patient or client – a fine of \$1,000 up to \$5,000 and a reprimand. For a second offense, a fine of \$2,500 up to \$7,500 and probation up to suspension followed by probation. After the second offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation up to revocation.

(k) Section 490.009(1)(k), F.S., or Section 456.072(1)(u), F.S.: committing any act upon a patient or client which would constitute sexual battery or which would constitute sexual misconduct as defined in Section 490.0111 or 456.063, F.S. – a fine of \$7,000, a PRN evaluation and probation up to suspension followed by probation with a PRN evaluation. After the first offense, a fine of \$7,000 up to \$10,000 and PRN evaluation and suspension followed by probation, or in the alternative, revocation.

(l) Section 490.009(1)(l), F.S., or Section 456.072(1)(a), F.S.: making misleading, deceptive, untrue, or fraudulent representations in the practice of school psychology – a fine of \$2,500 up to \$5,000 per count or offense and a reprimand up to probation. After the first offense, a fine of \$5,000 up to \$10,000 per count or offense and suspension followed by probation up to revocation. If it is determined that the violation included fraudulent conduct, then the fine shall be \$10,000 per count regardless of whether it is a first or subsequent offense.

(m) Section 490.009(1)(m), F.S.: soliciting patients or clients personally or through an agent, through the use of fraud, intimidation, undue influence, or any form of overreaching or vexatious conduct – a fine of \$1,000 up to \$10,000 and probation up to suspension followed by probation. For a second offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation, or in the alternative, revocation. If it is determined that the violation included fraudulent conduct, then the fine shall be \$10,000 per count regardless of whether it is a first or subsequent offense.

(n) Section 490.009(1)(n), F.S.: failing to provide upon written request, copies of test results, reports or documents – a fine of \$1,000 up to \$5,000 and a letter of concern up to a reprimand. For a second offense, a fine of \$2,500 up to \$5,000 and a reprimand up to probation. After the second offense, a fine up to \$10,000 and suspension followed by probation, or in the alternative, revocation.

(o) Section 490.009(1)(o), F.S.: failing to respond within thirty days or to make available any relevant records to the Department concerning any investigation by the Department with respect to the investigation – a fine of \$1,000 up to \$5,000 and a letter of concern up to a reprimand. For a second offense, a fine of \$3,000 up to \$10,000 and suspension followed by probation or suspension until such time as the licensee demonstrates, to the Department's satisfaction, that an appropriate response has been made by the licensee, or revocation.

(p) Section 490.009(1)(p), F.S., or Section 456.072(1)(y), F.S.: unable to practice with reasonable skill or competence – the penalty shall be suspension until such time as the licensee demonstrates rehabilitation satisfactory to the Department, then probation and mental or physical evaluations by Department approved professionals.

(q) Section 490.009(1)(q), F.S.: performing any treatment or therapy which constitutes experimentation on human subjects without written consent – a fine of \$1,000 up to \$5,000 and a reprimand up to probation. After the first offense, the penalty shall be a fine of \$5,000 up to \$10,000 and suspension followed by probation, or in the alternative, revocation.

(r) Section 490.009(1)(r), F.S.: failing to meet the minimum standards of performance – a fine of \$1,000 up to \$5,000 and a reprimand. For a second offense, a fine of \$2,500

up to \$7,500 and probation up to suspension followed by probation. For a third offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation, or in the alternative, revocation.

(s) Section 490.009(1)(s), F.S., or Section 456.072(1)(p), F.S.: delegating professional responsibilities to an unqualified person – a fine of \$1,000 up to \$5,000 and a reprimand up to probation. After the first offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation, or in the alternative, revocation.

(t) Section 490.009(1)(t), F.S., or Section 456.072(1)(q), F.S.: violating any lawfully issued order or subpoena – a fine of \$1,000 up to \$5,000 and a letter of concern up to a reprimand or probation. For a second offense, a fine of \$2,500 up to \$7,500 and probation up to suspension followed by probation. After the second offense, a fine of \$7,500 up to \$10,000 and suspension followed by probation up to revocation.

(u) Section 490.009(1)(u), F.S.: failing to maintain confidence of client communication – a fine of \$1,000 up to \$5,000 and a reprimand. For a second offense, a fine of \$2,500 up to \$10,000 and probation up to suspension followed by probation. After the second offense, the penalty shall be revocation.

(v) Section 490.009(1)(v), F.S.: making public statements which are derived from test data, client contacts, or behavioral research and which identify or damage research subjects or clients – a fine of \$1,000 up to a \$5,000 and a reprimand up to probation. For the second offense, a fine of \$2,500 up to \$7,500 and probation up to suspension followed by probation. After the second offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation, or in the alternative, revocation.

(w) Section 490.009(1)(w), F.S., or Section 456.072(1)(cc), F.S.: violating any provision of this chapter or Chapter 456, or any rules adopted thereto – a fine of \$1,000 up to \$5,000 and a letter of concern up to a reprimand. For a second offense, a fine of \$5,000 up to \$10,000 and probation. After the second offense, a fine of \$7,500 up to \$10,000 and suspension followed by probation or revocation. If the violation is for engaging or attempting to engage in sexual misconduct, then the penalty shall be a \$10,000 fine and revocation.

(x) Section 456.072(1)(s), F.S.: failing to comply with the continuing education requirement for domestic violence – a fine of \$250 up to \$2,500 and a letter of concern up to probation until compliance. After the first offense, a fine of \$1,000 up to \$10,000 and probation until compliance up to suspension until compliance.

(y) Section 456.072(1)(n), F.S.: exercising influence on the patient or client for the purpose of financial gain of the licensee or a third party – a fine of \$1,000 up to \$5,000 and a reprimand up to probation. For a second offense, a fine of \$2,500 up to \$7,500 and probation up to suspension followed

by probation. After the second offense, a fine of \$5,000 up to \$10,000 and suspension followed by probation, or in the alternative, revocation.

(z) Section 456.072(1)(r), F.S.: improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding – a fine of \$1,000 up to \$5,000 and a letter of concern up to a reprimand. After the first offense, a fine of \$3,000 up to \$10,000 and suspension followed by probation, or in the alternative, revocation.

(2) Based upon consideration of aggravating and mitigating factors present in an individual case, the Department may deviate from the penalties recommended above. The Department shall consider as aggravating or mitigating circumstances the following:

- (a) The danger to the public;
- (b) The length of time since the date of violation;
- (c) The number of complaints filed against the licensee;
- (d) The length of time the licensee has practiced without complaint or violations;
- (e) The actual damage, physical or otherwise, to the patient;
- (f) The deterrent effect of the penalty imposed;
- (g) The effect of the penalty upon the licensee's livelihood;
- (h) Any efforts the licensee has made toward rehabilitation;
- (i) The actual knowledge of the licensee pertaining to the violation;
- (j) Attempts by the licensee to correct or stop violations, or refusal by the licensee to correct or stop violations;
- (k) Related violations found against the licensee in another state including findings of guilt or innocence, penalties imposed and penalties served;
- (l) Any other mitigating or aggravating circumstances that are particular to that licensee or to the situation so long as the aggravating or mitigating circumstances are articulated in the Department's final order.

(3) The provisions of this rule shall not be construed to prohibit civil action or criminal prosecution as provided by law, nor may the provisions of this rule be construed to limit the ability of the Department to enter into binding stipulations as per Section 120.57(4), F.S.

Specific Authority 456.079 FS. Law Implemented 456.072, 456.079, 490.009 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kaye Howerton, Executive Director
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Amy Jones, Division Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 28, 2003

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.: 4-154.112
RULE TITLE: Guaranteed Availability of Individual Health Insurance Coverage To Eligible Individuals

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 16, April 18, 2003 of the Florida Administrative Weekly. These changes are being made to address concerns expressed at the public hearing.

Subsection (3) has been changed to read as follows:

(3) To enable the Office Department to monitor this coverage, the issuer shall file, no later than March 1 of each year, Form OIR-B2-1386, (rev 05/03), D14-1386, (rev. 11/01), Individual Health Coverage Policy Forms Issued/Renewed in Florida, which is hereby adopted and incorporated by reference. All filings shall be submitted electronically to https://iportal.fldfs.com. Copies of the form may be obtained from and shall be submitted to the Bureau of Life and Health Forms and Rates, Division of Insurer Services, Office of Insurance Regulation Department of Insurance, Tallahassee, FL 32399-0328, or submitted electronically through https://iportal.fldoi.com. Forms are also available and may be printed from the Department's website: http://www.fldfs.com/companies/pdf/OIR-B2-1386.PDF www.doi.state.fl.us.

The remainder of the rule reads as previously published.

DEPARTMENT OF INSURANCE

RULE NOS.: 4-154.202, 4-154.203, 4-154.204
RULE TITLES: Definitions, Categories of Reserves, Specific Minimum Standards for Morbidity, Mortality and Interest

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 18, May 2, 2003 of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

4-154.202(27) is changed to read:

(27) ... "Actuarial Standards of Practice" which are hereby incorporated herein by reference.

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

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

4-154.203(3)(a)1.b.(II)(C) is changed to read:

(C) For group policies having retrospective pricing agreements, if the premium is also intended to recover costs for any prior years, the actuary shall also disclose the reasons for and magnitude of such recovery.

The word "item" is deleted from the following:

- 4-154.204(1)(a)5.a.(I)(B)
4-154.204(1)(a)5.a.(II)
4-154.204(1)(a)5.a.(II)(B)
4-154.204(1)(b)2.a.(I)(B)
4-154.204(1)(b)2.a.(II)
4-154.204(1)(b)2.a.(II)(B)

The remainder of the rule reads as previously published.

DEPARTMENT OF INSURANCE

RULE NO.: 4-154.525
RULE TITLE: Standard and Basic Health Benefit Plans

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 16, April 18, 2003 of the Florida Administrative Weekly. A Notice of Change was published in Vol. 29, No. 25, June 20, 2003. This change is being made to address concerns expressed at the public hearing.

In paragraph (1)(a), reference to 627.6675(11) has been deleted.

The remainder of the rule reads as previously published.

DEPARTMENT OF INSURANCE

RULE NO.: 4-163.0045
RULE TITLE: Filing Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 16, April 18, 2003 of the Florida Administrative Weekly. These changes are being made to address concerns expressed at the public hearing.

The rule is changed to read as follows:

4-163.0045 Filing Requirements.

(1)(a) All forms of Credit Life and Credit Disability policies, certificates of insurance, statements of insurance, applications for insurance, enrollment forms, binders, endorsements and riders delivered or issued for delivery in this

state and the schedules of premium rates pertaining thereto, shall be filed for approval in accordance with Sections 627.6785 and 627.682, Florida Statutes.

~~(b) Filings shall be mailed to: Bureau of Life and Health Forms & Rates, Division of Insurer Services, Department of Insurance, Post Office Box 8040, Tallahassee, FL 32301-8040 or submitted electronically to <https://portal.fldfs.com> <https://portal.fldoi.com>. All filings sent to the Department by Federal Express or any other form of special delivery shall be delivered to: Bureau of Life and Health Forms and Rates, Division of Insurer Services, Department of Insurance, 1st Floor, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0328.~~

(2) through (5) No change.

Specific Authority 624.308(1), 627.678 FS. Law Implemented 624.307(1), 627.682, 627.6785 FS. History--New 2-11-03, Amended _____.

DEPARTMENT OF INSURANCE

| | |
|-----------|---|
| RULE NO.: | RULE TITLE: |
| 4-211.320 | Curriculum Standards for Special Designations |

WITHDRAWAL OF 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. 16, April 18, 2003 of the Florida Administrative Weekly. Subsequent Notices of Change were published in Vol. 29, No. 23 on June 6, 2003 and Vol. 29, No. 27 on July 3, 2003. These changes are being made in response to jurisdictional issues expressed by the Joint Administrative Procedures Committee.

The Notice of Change published in Vol. 29, No. 27 on July 3, 2003 is hereby withdrawn, and the rule reads in accordance with the Notice of Change published in Vol. 29, No. 23 on June 6, 2003.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

| | |
|-----------|-----------------------------|
| RULE NO.: | RULE TITLE: |
| 5F-11.029 | Inspection of DOT Cylinders |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 26, June 27, 2003, Florida Administrative Weekly has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

| | |
|------------|------------------------------|
| RULE NOS.: | RULE TITLES: |
| 40C-1.002 | Definitions |
| 40C-1.106 | Interagency Agreements |
| 40C-1.135 | Delegations of Authority |
| 40C-1.602 | Licenses or Permits Required |
| 40C-1.603 | Fees |
| 40C-1.708 | Protest of Action |
| 40C-1.721 | Protest of Action |
| 40C-1.801 | Protest of Action |
| 40C-1.900 | Forms and Instructions |

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-1, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

| | |
|------------|--------------------|
| RULE NOS.: | RULE TITLES: |
| 40C-2.041 | Permits Required |
| 40C-2.051 | Exemptions |
| 40C-2.321 | Duration of Permit |

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-2, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 40C-3.455 | Variances |
| 40C-3.492 | Violations of Permits |
| 40C-3.525 | Explosives |
| 40C-3.531 | Abandoned Well Plugging |
| 40C-3.532 | Violations of Well Construction Standards |

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-3, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

| RULE NOS.: | RULE TITLES: |
|------------|--|
| 40C-4.031 | Implementation |
| 40C-4.091 | Publications Incorporated by Reference |
| 40C-4.051 | Exemptions |
| 40C-4.201 | Permit Processing Fee |
| 40C-4.381 | Limiting Conditions |
| 40C-4.461 | Inspection |
| 40C-4.471 | Abatement and Abandonment |
| 40C-4.481 | Remedial and Emergency Measures |
| 40C-4.751 | Enforcement |

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-4, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 40C-21.331 | Declaring a Water Shortage Emergency |
| 40C-21.391 | Implementing a Water Shortage Emergency Declaration |

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-21, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

| RULE NO.: | RULE TITLE: |
|------------|--------------------------------|
| 40C-24.020 | Incentive Program – Qualifying |

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-24, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

| RULE NOS.: | RULE TITLES: |
|------------|-----------------------|
| 40C-40.031 | Implementation |
| 40C-40.351 | Revocation of Permits |
| 40C-40.381 | Limiting Conditions |

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-40, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-41.033
RULE TITLE: Implementation

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-41, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.: 40C-42.022
RULE TITLES: Permits Required
40C-42.033 Implementation
40C-42.091 Publications Incorporated by Reference

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-42, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.: 40C-44.031
RULE TITLES: Implementation
40C-44.071 Relationship to Other Permitting Requirements

NOTICE OF CORRECTION

The St. Johns River Water Management District hereby publishes this Notice of Correction to Chapter 40C-44, F.A.C., which was published in Vol. 29, No. 28, July 11, 2003 issue of the Florida Administrative Weekly, to advise the public that if requested, within 21 days of this notice, that a public hearing will be held on the above mentioned rules at the time and place listed below:

TIME AND DATE: September 9, 2003, following the regularly scheduled Governing Board meeting which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

The above public hearing date was omitted from the Notice of Proposed Rule.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.190
RULE TITLE: Independent Laboratory Services

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 29, No. 6, February 7, 2003, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NOS.: 60S-1.002
RULE TITLES: Statements of Policy
60S-1.00535 Criteria for Special Risk Membership – Correctional Officers

NOTICE OF CHANGE

Notice is hereby given that in accordance with subparagraph 120.54 (3)(d), F.S., the following changes have been made to the above-identified proposed rules, originally published on April 25, 2003, in Vol. 29, No. 17 of the Florida Administrative Weekly.

The changes were in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wendy Winkler, Office of the General Counsel, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, Florida 32399-0950, (850)487-1082.

Subsection 60S-1.002(3), F.A.C., has been deleted.

~~(3) Each employee upon employment or reemployment shall furnish to the Division such information as may be required on Form FRS-M10 adopted in 60S-9.001, for the proper enrollment of the officer or employee into the Florida Retirement System.~~

Subsection 60S-1.00535(3), F.A.C., has been changed to read:

(3) No administrative support personnel, ~~including but not limited to those~~ whose primary duties and responsibilities are in accounting, purchasing, legal, and personnel, shall be admitted to special risk membership.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

| | |
|-------------------|------------------------------------|
| RULE CHAPTER NO.: | RULE CHAPTER TITLE: |
| 60S-11 | Deferred Retirement Option Program |
| RULE NOS.: | RULE TITLES: |
| 60S-11.002 | Participation |
| 60S-11.004 | Benefits |

NOTICE OF CHANGE

Notice is hereby given that in accordance with subparagraph 120.54(3)(d), F.S., the following changes have been made to the above-identified proposed rules, originally published on April 25, 2003, in Vol. 29, No. 17 of the Florida Administrative Weekly.

The changes were in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wendy Winkler, Office of the General Counsel, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, Florida 32399-0950, (850)487-1082

Subparagraph 60S-11.002(3)(b)1., F.A.C., is changed to read as follows:

(3) APPLICATION TO PARTICIPATE

(b) Division’s Responsibility – When the Division receives a member’s application for DROP ~~is received~~, the Division will:

1. Acknowledge receipt of the member’s application and advise him or her of any required information or documents that have not yet been received. Such information may include; ~~but is not limited to~~, birth date verification as required by subsection 60S-4.0035(2), F.A.C., beneficiary designation as required by subsection 60S-11.004(2), F.A.C., option selection as required by Rule 60S-4.010, F.A.C., spousal

acknowledgment if option 1 or 2 is selected as required by subsection 60S-4.010(9), F.A.C., any payments due the member’s account for purchase of additional service credit or a written statement from the member that the member does not wish to claim such service credit, and certification of final salary and accumulated annual leave payments as defined in Rule 60S-6.001, F.A.C.

Paragraph 60S-11.002(3)(d), F.A.C., is changed to read as follows:

(3) APPLICATION TO PARTICIPATE.

(d) Cancellation of DROP Application – If all the required information and documents have not been received by the Division after 3 follow-up notices have been sent to the member, the Division will send the member a ~~certified letter~~ proposed final agency action letter by certified mail, advising the member that he has 21 days to provide such information or documents without loss of his DROP begin date. If the Division has not received all of the required information and documents after the 21 days specified in the certified letter, the Division will send a final agency action letter to the member advising the member that his application is canceled and that he must reapply to join DROP, if eligible, with a new effective DROP begin date to be established upon application.

Paragraph 60S-11.004(5)(a), F.A.C., is changed to read as follows:

(5) Employment During DROP Participation.

(a) A DROP participant is considered a retiree as defined in subsection 60S-6.001(53), F.A.C. However, participation in DROP does not alter the participant’s employment status. Terms and conditions of employment, which includes ~~including, but not limited to~~, salary, insurance coverage, leave accrual, and seniority status, do not change as a result of DROP participation. However, employment is not guaranteed during the DROP participation period.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

| | |
|-------------|--|
| RULE NO.: | RULE TITLE: |
| 64B7-32.003 | Minimum Requirements for Board of Massage Therapy Approval |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule is being withdrawn. This proposed rule was published in the Vol. 28, No. 31, August 2, 2002 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Board Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Section IV Emergency Rules

DEPARTMENT OF REVENUE

RULE TITLE: Tax Amnesty Program; Scope; Definitions; Program Schedule, Amnesty Period; Amnesty Benefits; Eligibility Criteria; Department Procedures for Administering the Amnesty Program; Closing Agreements

RULE NO.: 12ER03-5

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 1 of Enrolled Committee Substitute for Senate Bill 18-A, enacted by the 2003 Florida Legislature, requires the Department of Revenue to implement a tax amnesty program no later than July 1, 2003. To comply with this expedited time frame, and to provide the revenues required to support the fiscal year 2003-2004 budget enacted by the Legislature, the agency must adopt emergency rules as provided by subsection (12) of section 1 of this enrolled bill.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: Several days before the adoption of this emergency rule the Department distributed a draft to affected members of the public who had asked for an opportunity to review the proposed rule before it was adopted. Although this procedure was not required by the Legislature or by the enrolled bill that established this tax amnesty program, the Department concluded that this distribution of the draft to affected members of the public met the test of fairness by seeking public comment before the rule was adopted.

SUMMARY OF THE RULE: The rule implements provisions of section 1 of Enrolled Committee Substitute for Senate Bill 18-A, as enacted by the 2003 Legislature. This rule defines key terms and establishes procedures the Department will use for the tax amnesty program, which offers taxpayers an opportunity to satisfy their liabilities for unpaid taxes imposed by the revenue laws of this state.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Larry Green, Tax Law Specialist, Rules and Policy Administrative Process, Office of the General Counsel, P. O. Box 6668, Tallahassee, Florida 32314-6668, (850)922-4830, e-mail: greenl@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER03-5 Tax Amnesty Program; Scope; Definitions; Program Schedule, Amnesty Period; Amnesty Benefits; Eligibility Criteria; Department Procedures for Administering the Amnesty Program; Closing Agreements.

(1) Scope. This rule establishes the procedures the Florida Department of Revenue will use to administer the tax amnesty program authorized by section 1 of the Enrolled Committee Substitute for Senate Bill 18-A.

(a) Pursuant to this act, the Department is authorized to offer to any eligible taxpayer the opportunity to pay their state and/or local tax liability and thereby avoid criminal prosecution and the imposition of penalties and a portion of the interest otherwise imposed that are due and payable prior to July 1, 2003.

(b) Taxpayers are encouraged to participate in this tax amnesty program as a means of resolving any unpaid liabilities for state and/or local tax, penalty, and interest. Participation in this program does not increase the possibility that a taxpayer will be subject to an audit.

(2) Definitions. For the purposes of this rule, the following terms and phrases will have the meanings ascribed to them in this subsection, unless the context clearly indicates a different meaning:

(a) "Department" means the Florida Department of Revenue.

(b) "Eligible taxpayer" means any taxpayer who meets the criteria for participation in the tax amnesty program as provided by section 1 of the Enrolled Committee Substitute for Senate Bill 18-A, and these rules.

(c) "State and/or local tax" means the following revenue sources enumerated in Section 213.05, Florida Statutes: the local option tourist development tax and tourist impact tax imposed by Chapter 125, Florida Statutes, if the Department administers the tax on behalf of the local government that levies the tax; the estate tax imposed by Chapter 198, Florida Statutes; the tax on intangible personal property imposed by Chapter 199, Florida Statutes; the excise tax on documents imposed by Chapter 201, Florida Statutes; the communications services tax imposed by Chapter 202, Florida Statutes; the gross receipts tax imposed by Chapter 203, Florida Statutes; the taxes on motor and other fuels imposed by Chapter 206, Florida Statutes; the pollutants taxes imposed by Chapter 206, Florida Statutes; the tax imposed on the severance of gas and sulfur by Chapter 211, Florida Statutes; the tax imposed on the severance of oil by Chapter 211, Florida Statutes; the tax imposed on the severance of solid minerals by chapter 211, Florida Statutes; the taxes imposed by Chapter 212, Florida Statutes; the corporate income tax imposed by Chapter 220, Florida Statutes; the emergency excise tax imposed by Chapter 221, Florida Statutes; taxes on motor fuel and diesel fuel imposed by Chapter 336, Florida Statutes; the Apalachicola

Bay oyster surcharge imposed by Chapter 370, Florida Statutes; the tax on the gross receipts of drycleaning facilities imposed by Chapter 376, Florida Statutes; the tax on perchloroethylene imposed by Chapter 376, Florida Statutes; the waste tire fees and lead-acid battery fees imposed by Chapter 403, Florida Statutes; the secondhand dealer registration fees imposed by Chapter 538, Florida Statutes; insurance premium taxes imposed by Chapters 624 and 627, Florida Statutes; and the motor vehicle warranty fees imposed by Chapter 681, Florida Statutes.

(d) "Revenue law" means the Florida statutes applicable to any state and/or local tax, fee, surcharge, surtax, assessment, and other revenue-producing imposition enumerated in paragraph (c) of this subsection.

(3) Program Schedule; Tax Amnesty Period.

(a) This tax amnesty program begins at 12:01 a.m., July 1, 2003 and ends at midnight on October 31, 2003, which will be referred to in this rule as the tax amnesty period. Eligible taxpayers must submit to the Department, within the tax amnesty period the forms, all returns, and all payments for the state and/or local tax as provided by subsections (5) and (6) of this rule.

(b) Requests for participation in this tax amnesty program cannot be accepted prior to the July 1, 2003 starting date for this program.

(c) The Department will not grant extensions of time beyond the end of the tax amnesty period for:

1. Paying in full the correct state and/or local tax due; and/or

2. Filing a properly completed Tax Amnesty Agreement form.

(d) To determine the date of submission of an amnesty return and/or the date of any amnesty payment, the Department will apply one or more of the following criteria:

1. For returns and/or payments submitted by United States mail, the postmark date.

2. For hand-delivered returns and/or payments, the date the item is received by the Department.

3. For returns and/or payments delivered by an express service or delivery service, the date on which the taxpayer delivers the document to the express service or delivery service.

4. For faxed returns, the date the return is received by the Department.

5. For returns and/or payments submitted by electronic means, the date such return is received by the Department or the date such payment is received by the state Treasury, as applicable.

(4) Amnesty Benefits. Under this tax amnesty program, taxpayers participating in the tax amnesty program will have all penalties that are statutorily-imposed on unpaid state and/or local tax liabilities waived. In addition, the law authorizes the

Department to reduce the interest due from taxpayers participating in the tax amnesty program, as provided in paragraph (a) or paragraph (b) of this subsection.

(a) If the Department has not sent the taxpayer a jeopardy assessment letter, a Notice of Tax Action, a billing, a notice of intent to conduct an audit, or any notification reflecting a specifically identified liability, the statutorily imposed interest will be reduced by 50 percent.

(b) If the Department has sent the taxpayer any document listed in paragraph (a) of this subsection, the statutorily imposed interest will be reduced by 25 percent.

(5) Eligibility Criteria. Every taxpayer requesting permission to participate in the tax amnesty program must affirm and/or agree to the terms and conditions contained on the Tax Amnesty Agreement (form DR-100000). Failure to agree to the terms and conditions of the Agreement will result in the Department denying the taxpayer's request to participate in the tax amnesty program.

(a)1. If a taxpayer who is required by law to register with the Department has not registered, the taxpayer must register before requesting to participate in the tax amnesty program.

2. Unregistered taxpayers who are required by law to register are encouraged to register using either of the appropriate methods discussed below:

a. Between July 1, 2003 and October 20, 2003, unregistered taxpayers may use the Department's on-line registration system or may contact the Department's local service center closest to them to register.

b. Beginning on October 20, 2003, unregistered taxpayers are encouraged to contact the Department's local service center closest to them to register.

3. Unregistered taxpayers are advised that it takes the Department a minimum of 3 business days to process the taxpayer's registration request. At the end of this 3 business day period the taxpayer should take the necessary steps to participate in the tax amnesty program.

(b) The Tax Amnesty Agreement form (DR-100000), effective July 1, 2003, is hereby incorporated by reference in this rule.

(c)1. This agreement requires the taxpayer to provide information regarding their name, address (city, state, zip code), telephone number with area code, the date, and either their Federal Employer Identification Number or Social Security Number, plus their sales tax certificate number (if applicable).

2. Any person who is qualified to represent a taxpayer as provided in Rule 12-6.005, F.A.C., must possess a valid Power of Attorney, if one is not already on file with the Department, before requesting participation in this tax amnesty program on behalf of such taxpayer.

(d)1. Once the Tax Amnesty Agreement form has been properly completed and submitted by the taxpayer, subsequent requests for participation in the tax amnesty program by such taxpayer do not require the completion and submission of additional Tax Amnesty Agreement forms.

2. However, taxpayers who use the Department's on-line system to request to participate in the tax amnesty program must complete a Tax Amnesty Agreement form each time they use the on-line system to request participation.

(e) Every taxpayer who requests to participate in this tax amnesty program must agree to the following terms and conditions to be eligible to participate. The taxpayer must affirm that, or agree to:

1. Give up the right to contest the tax being reported.

2. Withdraw any pending protest or dismiss any administrative or judicial proceeding concerning the tax being reported under this tax amnesty program, and not refile such protest or proceeding.

3. The taxpayer has not previously settled the liability or signed a stipulated time payment agreement pursuant to Rule Chapter 12-17, F.A.C., with the Department for any state or local revenues owed which are included in the tax amnesty request.

4. Give up the right to claim, or to protest the denial of a claim, for a refund of tax or interest paid pursuant to the tax amnesty request.

5. Any credit or refund of tax or interest paid pursuant to the tax amnesty request is limited to amounts determined by the Department to be erroneously paid.

6. The taxpayer is not currently under investigation, indictment, information, or prosecution for failing to comply with a Florida revenue law, and that they have not been convicted of a crime involving a Florida revenue law.

(f) The Department will rescind a grant of tax amnesty if the taxpayer has misrepresented their eligibility to participate in the amnesty program or the interest reduction for which they qualify, has filed false returns or other forms associated with the tax amnesty request, or has failed to pay the amounts due or file completed forms or returns.

(g) Taxpayers who meet one or more of the following criteria on or before October 31, 2003, are ineligible to participate in this tax amnesty program:

1. Conviction for a crime regarding a revenue law of this state, which includes the taxpayer being convicted for presenting a worthless check as payment for an obligation under any revenue law of this state, as provided in Section 832.062, Florida Statutes.

2. Is under criminal investigation, indictment, information, or prosecution by any state or local entity for a violation of a Florida revenue law.

(6) Department Procedures for Administering the Tax Amnesty Program.

(a) In addition to completing and submitting the Tax Amnesty Agreement form, the taxpayer must file a new or amended return for each taxable period covered by his or her tax amnesty request. Taxpayers who have a monthly liability for taxes imposed by Chapter 212, Florida Statutes, are encouraged to use a tool on the Department's on-line system that enables them to remit a single payment for all taxable periods occurring during each 12 consecutive calendar month period covered by the taxpayer's amnesty request (for requests that cover a multi-year period).

(b) Taxpayers must use the current versions of tax returns when they submit their request to participate in this tax amnesty program and pay in full the amounts due. [Example: A taxpayer who requests amnesty for an unpaid sales tax liability that was due in November, 2001, should not use the 2001 version of form DR-15 (Sales and Use Tax Return), but instead should use the current version of form DR-15 (2003 Sales and Use Tax Return).]

(c) Taxpayers who receive Department approval to convert an audit to the certified audit program pursuant to subsection (4) of section 1 of the Enrolled Committee Substitute for Senate Bill 18-A, must make all payments of tax determined to be due under the tax amnesty program during the tax amnesty period. Any payment made after the October 31, 2003, deadline for the tax amnesty program will not qualify for the compromise of penalty and interest available from either the tax amnesty program or the certified audit program. Taxpayers that comply with the following conditions will be approved to convert an audit to the certified audit program during the tax amnesty period:

1. Only a sales and use tax audit can be converted to the certified audit program.

2. The beginning date of the audit period for certified audit purposes must be the same as the beginning date of the audit period as stated on the DR-840 (Notice of Intent to Audit Books and Records) that was originally sent to the taxpayer before he or she requested a conversion to the certified audit program.

3. All sales and use tax audits converted to the certified audit program must comply with the requirements and procedures established in Part II of Rule Chapter 12-25, F.A.C.

(d)1. Taxpayers who are requesting amnesty for a sales and use tax or intangible personal property tax liability (for individuals or corporations), regardless of whether the liability is associated with a delinquency or previously unreported tax, are encouraged to access the Department's Internet site at the address in parentheses (www.myflorida.com/dor/amnesty) and use the streamlined amnesty procedures discussed on this site for filing new and amended returns and paying state and/or local tax under this amnesty program.

2. Also, any taxpayer who has received a bill for any unpaid tax liability is encouraged to access this Internet site to pay his or her state and/or local tax and interest due under this tax amnesty program.

3. To access this Internet site, click on the "Save Money With Tax Amnesty" statement on the Department's home page (www.myflorida.com/dor/), and follow the tax amnesty instructions contained there.

(e) In addition, taxpayers may acquire the necessary blank forms and returns to participate in this program by:

1. Downloading them from the Department's Internet website at (www.myflorida.com/dor/amnesty/); or

2. Calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or

3. Faxing the Florida Department of Revenue Distribution Center at (850)922-2208; or

4. Using a fax machine telephone handset to call the Department's automated Fax on Demand system at (850)922-3676; or

5. Writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or

6. Visiting any local Department of Revenue Service Center to personally obtain a copy; or

7. Calling the Department's TDD at 1(800)367-8331 if the taxpayer has a hearing impairment or speech impairment.

(f) Taxpayers who need assistance in determining their amnesty program tax and interest liability or who need help in complying with the amnesty program provisions should contact the Department by calling the Taxpayer Services office at 1(800)352-3671 (in Florida only) or 1(800)488-6800, or by visiting the local service center nearest them (open Monday through Friday, 8 a.m. to 5 p.m.).

(g) The Department cannot accept credit card payments for payments of state and/or local taxes and interest under this amnesty program.

(h) Taxpayers who have enrolled with the Department pursuant to the requirement in Section 213.755, Florida Statutes, to remit taxes and submit returns by electronic means cannot submit amnesty payments and new or amended returns using these same methods. Instead, these taxpayers are encouraged to use the Department's Internet on-line amnesty program procedures which are available on the Department's Internet site at the address listed in parentheses (www.myflorida.com/dor/amnesty/) for paying amnesty taxes and interest electronically.

(i) All payments must be in United States funds, and if payment is by check or money order, it must be made payable to the Florida Department of Revenue.

(7) Closing agreements. Nothing in this emergency rule shall be construed to restrict the authority of the Executive Director or the Executive Director's designee to enter into closing agreements compromising and/or settling a taxpayer's liability pursuant to Section 213.21, Florida Statutes.

Specific Authority 213.06(2) FS. Law Implemented s. 1, CS/SB 18-A (Enrolled). History—New 7-1-03.

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

EFFECTIVE DATE: July 1, 2003

DEPARTMENT OF CORRECTIONS

| RULE TITLES: | RULE NOS.: |
|--|------------|
| Inmate Visiting – Definitions | 33ER03-1 |
| Inmate Visiting – General | 33ER03-2 |
| Visiting Application Initiation Process | 33ER03-3 |
| Visiting Record Management | 33ER03-4 |
| Visiting Denial | 33ER03-5 |
| Review of Request for Visiting Privileges | 33ER03-6 |
| Visiting by Former and Current Department and Contract Employees | 33ER03-7 |
| Sex Offender Visiting Restrictions | 33ER03-8 |
| Visitor Conduct | 33ER03-9 |
| Denial or Termination of Visits | 33ER03-10 |
| Revocation or Suspension of Visiting Privileges | 33ER03-11 |
| Reinstatement of Revoked or Suspended Visiting Privileges | 33ER03-12 |
| Special Visits | 33ER03-13 |
| Visiting – Forms | 33ER03-14 |

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The central visitation authority has been abolished due to budgetary cuts and necessity for placement of more staff at correctional institutions. As there will be no staff at the central office level to conduct criminal background checks and review visitation decisions, these functions must be shifted to the institutions in order to ensure continuity of necessary review of prospective visitors and conduct of current visitors. These reviews are necessary in order to provide for public welfare and safety by ensuring the security of correctional facilities. As the reviews can no longer be completed by central office staff, authority to conduct the reviews must be provided to field staff.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The same criteria will be used to determine eligibility for visitation, suspension of visiting privileges, and termination of visiting privileges. The rule changes merely shift the process to institutional staff rather than central office staff.

SUMMARY OF THE RULE: The rules delete references to the Central Visitation Authority and transfer CVA duties to institutional staff.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY 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 EMERGENCY RULES IS:

33ER03-1 (33-601.713) Inmate Visiting – Definitions.

(1) through (2) No change.

~~(3) “Central Visiting Authority (CVA)” refers to the section within the Bureau of Classification and Central Records responsible for the management of inmate visiting procedures, visiting records, and fact-based decisions on visiting requests.~~

~~(3)(4)~~ No change.

~~(4)(5) “Institutional Classification Team (ICT)” refers to the team appointed by the warden responsible for making local classification decisions as defined in rule and procedure. The ICT shall be comprised of a senior classification officer or higher and security member of the rank of correctional officer lieutenant or higher the warden or assistant warden who shall serve as chairperson, classification supervisor, chief of security, and other members when appointed by the warden or designated by rule.~~

(6) through (10) renumbered (5) through (9) No change.

~~(10)(11) “Approved Visitor” refers to any person who is approved by the assigned institutional classification officer CVA to visit an inmate and whose approval is documented in the automated visiting record.~~

~~(11)(12) “Request for Visiting Privileges” refers to Form DC6-111A, which must be fully completed by all prospective visitors twelve years of age and older and forwarded to the assigned institutional classification officer CVA for resolution.~~

(13) through (17) renumbered (12) through (16) No change.

~~(18) “Temporarily Suspended” refers to a visitor’s status pending a review or investigation of circumstances or events that can result in the revocation or suspension of visiting privileges. A visitor shall not be allowed to visit while in this status.~~

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, 7-3-03.

33ER03-2 (33-601.714) Inmate Visiting – General.

(1) through (2) No change.

(3) The warden, assistant warden, or duty warden is authorized to deny or terminate a visit if any of its aspects are disruptive or violate rules, procedures, instructions, restrictions, orders, or directions. Any disruption or violation shall be entered on the AVR and shall subject the visitor to revocation or suspension of visiting privileges by the warden or designee CVA and the inmate to disciplinary action.

(4) No change.

~~(5) The CVA shall publish a departmental visitor’s information handbook that shall include statutes, rules, procedures, and instructions relating to visiting. The warden shall ensure that a new visitor receives a copy of the handbook. These handbooks are not authorized in the visiting area.~~

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

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.708, Amended 5-27-02, 7-3-03.

33ER03-3 (33-601.715) Visiting Application Initiation Process.

(1) through (2) No change.

(3) The institution classification staff CVA shall conduct criminal history background checks on applicants requesting visiting privileges if information on the application indicates that it is prudent to do so.

(4) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.706, 33-601.708, Amended 5-27-02, 7-3-03.

33ER03-4 (33-601.716) Visiting Record Management.

(1) The Bureau of Classification and Central Records CVA shall develop and maintain computerized inmate-visiting records.

(2) through (9) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.703, 33-601.708, Amended 7-3-03.

33ER03-5 (33-601.717) Visiting Denial.

(1) No change.

(2) The assigned institutional classification officer CVA shall have authority to refuse to approve visiting for applicants with prior negative visiting behavior based on the security threat to the institution, nature of the behavior, and the elapsed time since the incident. Denial of visiting shall be permanent if the prospective visitor was involved in, or assisted in, an escape or attempted escape from any correctional facility.

(3) through (6) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.706, 33-601.707, Amended 5-27-02, 7-3-03.

33ER03-6 (33-601.718) Review of Request for Visiting Privileges.

(1) In approving or disapproving visiting privileges, assigned institutional classification CVA staff shall review the Request for Visiting Privileges, Form DC6-111A, and shall consider all factors related to the security, order or effective management of the institution.

(a) No change.

(b) The institutional classification CVA staff shall evaluate a person’s criminal history and visiting background using the CVA Visitor Screening Matrix, Form DC6-111D.

(c) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.706, Amended 7-3-03.

33ER03-7 (33-601.719) Visiting by Former and Current Department and Contract Employees.

(1) Former Department and Contract Employees. The assigned institutional classification officer CVA shall consider approving former department employees and former employees of a contractor who was under contract with the department for visiting privileges under the following circumstances:

(a) through (2) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.706, Amended 5-27-02, 7-3-03.

33ER03-8 (33-601.720) Sex Offender Visiting Restrictions.

(1) No change.

(2) A warden, ~~with a recommendation from the CVA supervisor,~~ is authorized to approve a visit between a minor who is accompanied by an authorized adult and an inmate who meets the criteria in subsection 33-601.720(1), F.A.C., above if visiting is not restricted by court order and the warden determines the visit to be in the minor’s best interest. Factors to be considered are:

(a) through (4) No change.

~~(5) The warden shall provide documentation to the CVA supervisor who shall recommend approval or denial to the warden.~~

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

~~(6)(7) The warden, with a recommendation from the CVA supervisor,~~ is authorized to modify the visiting status if factors materially affecting the visiting privilege decision change. Modification of privileges and court modifications of previously imposed visiting restrictions shall be documented in the AVR by institutional staff.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.707, Amended 5-29-03, 7-3-03.

33ER03-9 (33-601.727) Visitor Conduct.

(1) Visitors must conduct themselves in accordance with the following requirements while on department property.

(a) through (b) No change.

(c) Visitors shall not possess, introduce, or attempt to introduce contraband or illegal items into or onto the grounds of any department institution or facility. Violations shall result in the suspension of visiting privileges by the warden or designee CVA. Contraband items not of an illegal nature shall be seized by staff when found and shall be returned only on the approval of the duty warden.

(d) through (2) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.708, Amended 5-27-02, 7-3-03.

33ER03-10 (33-601.729) Denial or Termination of Visits.

(1) through (2) No change.

(3) Reconsideration for Visitation.

~~(a) A visitor denied visiting by the warden or duty warden shall be permitted to ask the CVA to mediate the matter, using local or institutional telephone access for this purpose. The CVA employee will either inform the visitor of his or her agreement with the decision of the duty warden or shall contact the facility on behalf of the visitor. The final decision shall rest with the warden, assistant warden, or duty warden.~~

~~(b)~~ A visitor initially denied permission to visit for reasons other than for possession or attempted introduction of contraband and who corrects the problem causing the denial shall be granted visiting if not otherwise precluded by rule and if the inmate is not in the process of visiting with others.

(4) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Formerly 33-601.705, 33-601.707, Amended 5-27-02, 7-3-03.

33ER03-11 (33-601.731) Revocation or Suspension of Visiting Privileges.

(1) through (8) No change.

(9) Suspension of Visitor’s Visiting Privileges.

~~(a) A visitor whose visiting privileges are under consideration for revocation or suspension shall have his or her visiting privileges temporarily suspended.~~

~~(a)(b)~~ A visitor’s visiting privileges shall be revoked by the warden or designee CVA when the visitor:

1. through 6. No change.

~~(b)(e)~~ Visiting privileges shall be suspended by the warden or designee CVA for up to two years when the visitor:

1. through 5. No change.

~~(c)(d)~~ Visitors found in violation of Paragraph 33-601.717(5)(f), F.A.C. – falsifying information to obtain visiting privileges, subsections 33-601.723(3) and (5), F.A.C., falsifying information at visitor registration and falsifying documents of guardianship, subsection 33-601.724(9), F.A.C. – visitor attire, Rule 33-601.726, F.A.C. – visitor searches, or visitor conduct standards as outlined in paragraphs 33-601.727(1)(a)-(h), F.A.C. shall have visiting privileges suspended by the warden or designee CVA supervisor for up to one year.

(10) The warden or designee shall have the discretion to impose ~~recommend to the CVA supervisor~~ a length of suspension less than the maximum allowed by rule by considering the type of violation, the impact of the violation on the overall security or safety of the institution, and prior visits

without incident. ~~The warden shall set forth the justification for the length of suspension, if less than the maximum, in the recommendation to the CVA supervisor.~~

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01 Formerly 33-601.707, 33-601.708, Amended 5-27-02, 7-3-03.

33ER03-12 (33-601.732) Reinstatement of Revoked or Suspended Visiting Privileges.

(1) The warden or designee shall approve or deny requests for reinstatement of an inmate’s suspended visiting privileges. The inmate shall submit a written request for reinstatement to the warden on Form DC6-236, Inmate Request. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(a) Reinstatement of privileges suspended for more than two years shall only be considered after two years from imposition.

1. The warden or designee shall review the request, render a final decision and notify the inmate concerned.

2. Should the inmate be denied reinstatement, the inmate may not make another request for one year from the last decision requesting reinstatement.

(b) through (c) No change.

(2) The warden or designee ~~CVA supervisor~~ shall approve or deny requests for reinstatement of a visitor’s revoked or suspended visiting privilege. The visitor, or inmate on behalf of the affected visitor, shall submit a written request for reinstatement of privileges to the assigned institutional classification officer ~~CVA supervisor~~. The visitor for whom the reinstatement is being considered shall submit a Request for Visiting Privileges, Form DC6-111A, if the suspension has been for longer than six months.

(a) Reinstatement of revoked privileges shall only be considered after two years from imposition.

1. The warden or designee ~~CVA supervisor~~ shall review the request, render a final decision and notify the visitor concerned.

2. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request for one year from the last decision requesting reinstatement.

(b) through (c) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, 7-3-03.

33ER03-13 (33-601.736) Special Visits.

(1) through (2) No change.

(3) The ~~CVA~~ Visitor Screening Matrix, Form DC6-111D shall be used to evaluate the proposed visitor’s criminal record and visiting background in determining approval or disapproval of the special visiting request. Form DC6-111D is incorporated by reference in Rule 33-601.737, F.A.C.

(4) No change.

~~(5) A visitor who has been denied a special visit by the warden or duty warden may request that the CVA mediate on his or her behalf. A local or institution telephone shall be used for this purpose if the visitor is on institutional property. The CVA shall either advise the visitor that the warden’s, assistant warden’s or duty warden’s decision is appropriate or speak to the denying authority on behalf of the visitor. However, the final decision will rest with the approving authority.~~

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, 7-3-03.

33ER03-14 (33-601.737) Visiting – Forms.

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

(1) through (5) No change.

(6) DC6-111D, ~~CVA~~ Visitor Screening Matrix, effective April 29, 2002.

Specific Authority 944.09, 944.115, 944.23 FS. Law Implemented 944.09, 944.115, 944.23, 944.8031 FS. History–New 11-18-01, Amended 4-29-02, 7-3-03.

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

EFFECTIVE DATE: July 3, 2003

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs has issued a Denial of Petition for Emergency Waiver in response to the request received on March 6, 2003, from the City of Arcadia. The petitioner sought a waiver of paragraph 9B-43.006(2)(a), Fla. Admin. Code. The petition fails to allege specific facts that make the situation an emergency.

A copy of the Denial of Petition, which was assigned the number DCA03-WAI-076, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN that the State Board of Administration received, on June 24, 2003, a petition from the Great American Insurance Group, on behalf of three of its member companies: Great American Alliance, Great American Assurance and Great American of New York. This petition seeks a waiver or variance under Section 120.542, Florida Statutes, from the requirement under paragraph 19-8.029(2)(c), Florida Administrative Code which requires that exposure be reported under a separate record if it covers exposure in a different zip code, is a different type of business, or has a different construction type, deductible group, CWMC code or BCEG code than the primary policy.

A copy of the petition may be requested from Tina Joanos, Agency Clerk, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300.

Any interested person or other agency may submit written comments on the petition for waiver or variance within 14 days after the notice required by Section 120.542(6), F.S. Such comments should be submitted to the Agency Clerk at the address given immediately above.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on July 2, 2003, South Florida Water Management District (District) received an amended petition for waiver from the Florida Department of Transportation, for utilization of Works or Lands of the District known as the Hillsboro Canal, Palm Beach County, for a permanent above-ground existing light pole to remain in place within the north right of way of the Hillsboro Canal located at the northwest quadrant of the S.R. No. 7 (U.S. 441) Bridge in Section 36, Township 47 South, Range 41 East, Palm Beach County. The petition seeks relief from subsections 40E-6.011(4) and (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of above-ground semi-permanent and permanent encroachments within 40 feet of the top of the canal bank and within the District's designated 100 foot long equipment staging areas at all bridge and pile-supported crossings within Works and Lands of the District.

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT an Emergency Petition for Variance or Waiver was received on July 2, 2003 from Lafayette Health Care Center, 512 West Main Street, Mayo, Florida; Blountstown Health and Rehabilitation Center, 16690 Chipola Road, Blountstown, Florida; Crystal Oaks Health Care Center, 6767 86th Avenue, North, Pinellas Park, Florida. This petition involves applicable Rule 59G-6.010, F.A.C., which incorporates by reference the Florida Title XIX Long Term Care Reimbursement Plan. Rule 59G-6.010, F.A.C., implements Section 409.908, Florida Statute, Reimbursement to Providers.

Information regarding this petition may be obtained by writing: Robert Butler, Chief, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 21, Tallahassee, FL 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Professional Surveyors and Mappers hereby gives notice that it has received a petition, filed on April 18, 2003, from Gary D. Hunt seeking a waiver or variance of subsection 61G17-2.004(3), Fla. Admin. Code, with respect to the requirement that Petitioner meet all the requirements for licensure that exist at this time pursuant to Rule 61G17-3.002, F.A.C., and Section 472.013(2)(a), F.S.

Comments on this petition should be filed with Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0750, within 14 days of publication of this notice.

For a copy of the petition, contact: Juanita Chastain, Executive Director, Board of Professional Surveyors and Mappers, at above address or telephone (850)487-1395.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Health, Bureau of Emergency Medical Services, received an Emergency Petition for Variance on May 30, 2003, from Halifax Medical Center.

Applicable Rule: 64E-2.023(3)(a), DH Pamphlet 150-9, Standard III.A.1., Florida Administrative Code.

Nature of Rule: Requires a State Approved Level II Trauma Center to have a minimum of five qualified trauma surgeons assigned to the trauma service.

Date and Place of Notice: Notice was published on June 13, 2003 in the Florida Administrative Weekly.

Date of Order: June 27, 2003.

Basis for Agency Decision: The Department approved the petition on the basis that the petitioner demonstrated substantial compliance with the statutes and rules by establishing a procedure which satisfies the purpose of the underlying statute. Petitioner also established substantial hardship as a result of the independent acts of its trauma surgery staff which makes it impossible to comply with the requirements of the rule. The petition was granted on a temporary basis for 180 days and with the stipulation that the Petitioner must report to the Bureau every 30 days on the effectiveness of the alternative and efforts to employ permanent trauma surgeons.

A copy of the Order may be obtained by submitting a written request to: Pam Lesley, Senior Management Analyst, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738.

P.O. QT0020

The Board of Hearing Aid Specialists hereby gives notice that it has received a petition, filed on June 30, 2003, from Henry M. O'Malley, BC-HIS seeking a variance of paragraph 64B6-2.002(2)(b), F.A.C., with respect to direct client contact and the sales receipt requirements for out-of-state licensure candidates. Comments on this petition should be filed with the Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Tallahassee, Florida 32399.

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

The Board of Massage Therapy hereby gives notice that it has received a petition, filed on June 25, 2003, from Raul Izquierdo, Sr. seeking a waiver of Rule 64B7-25.001, F.A.C., with respect to examination requirements and the successful completion of the written national examination.

Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399.

For a copy of the petition, contact: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Tallahassee, Florida 32399.

The Board of Medicine hereby gives notice that it has received a petition filed on June 27, 2003, on behalf of Dorothy Ann Davis, M.D., seeking a waiver from Rule 64B8-2.001, F.A.C., with regard to the passing score on the FLEX examination.

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

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that the Department of Children and Family Services has received a Petition for Emergency Waiver of subparagraph 65E-4.016(6)(b)2., F.A.C. The Petition was received by the Agency Clerk on July 2, 2003, by The Renfrew Centers, Inc., and assigned Case Nos. 03-004W. Subparagraph 65E-4.016(6)(b)2., F.A.C.

A copy of the petition may be obtained by writing: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on July 1, 2003, Florida Housing Finance Corporation received a Petition for Waiver of subsection 67-48.002(111), F.A.C., from The Carlisle Group, LLC (the "Petition"), seeking a variance from a portion of the Universal Application Instructions (the "Instructions") that have been adopted and incorporated by reference through subsection 67-48.002(111), F.A.C. More specifically, Petitioner is seeking a variance from what appears to be designated as Ranking and Selection Criteria subsection B.7.e.(7)(c) on page 85 of the Instructions.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on July 1, 2003, Florida Housing Finance Corporation received a Petition for Waiver from St. Johns Housing Partnership, Inc., requesting a waiver of subsection 67-50.080(2), F.A.C., which states the applicant shall submit the required information to the credit underwriter within sixty days. Petitioner is requesting an extension of the sixty day deadline.

A copy of the Petition can be obtained from: Sherry Green, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on July 1, 2003, Florida Housing Finance Corporation received a Petition for Waiver of paragraph 67-48.006(9)(a), F.A.C., from Island Place Apartments, LLC (the "Petition"), seeking a variance of the Rule that provides compliance and reporting requirements for SAIL loans.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on July 7, 2003, Florida Housing Finance Corporation received a Petition for Waiver from Lakeland Polk Housing Corporation, requesting a waiver of subsection 67-50.080(2), F.A.C., which states the applicant shall submit the required information to the credit underwriter within sixty days. Petitioner is requesting an extension of the sixty day deadline.

A copy of the Petition can be obtained from: Sherry Green, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a meeting. Parts of the meeting are confidential.

DATES AND TIMES: August 13, 2003, 8:30 a.m. – 5:00 p.m.; August 14, 2003, 8:30 a.m. – 12:00 p.m.

PLACE: The Turlington Building (Dept. of Education Bldg.), 325 W. Gaines Street, Room 1704, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104, 106, and Section 105.071, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda call: Patsy Rushing, (850)922-4539.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing at least 48 hours before the meeting.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made. The proceedings will be electronically recorded by Commission staff. There will be no court reporter present.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Emergency Food Assistance Program Advisory Board.

DATE AND TIME: August 1, 2003, 9:00 a.m. – 1:00 p.m.

PLACE: Florida Fruit and Vegetable Association, Conference Room, 4401 E. Colonial Drive, Orlando, Florida 32814-0155, (407)894-1351

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the challenges and opportunities of Florida's Emergency Food Assistance Program.

A copy of the agenda can be obtained by contacting: Kelly Boutwell, 407 S. Calhoun Street, 2nd Floor, Tallahassee, Florida 32399-0800.

If special accommodations are needed to attend this meeting because of a disability, please contact Kelly Boutwell, (850)487-6694, by July 28, 2003.

The **Subcommittee on Managed Marshes** announces a Quarterly Field Trip and Business Meeting to which all interested persons are invited to participate.

OPTIONAL FIELD TRIP

DATE AND TIME: Tuesday, July 29, 2003, 1:30 p.m., On Tuesday afternoon, for those interested, we will have a field trip to Pine Island in Merritt Island. This is a salt marsh restoration project on Brevard County property under the supervision of Dr. Scott Taylor, Brevard County Environmentally Endangered Lands Program. Our intent is to meet for lunch at noon at "Vinnies". Directions are: take SR528 (Beeline Expressway) off I-95 and head east to SR3 (Courtney Parkway). Go south 0.6 miles on SR3 and the restaurant is on the right (#2137 SR 3/Courtney Parkway). After lunch, go north on SR3 for 5 miles. Pine Island Road is on your left. We will meet at Pine Island Rd. and SR3 (or if you prefer, drive to the end of Pine Island Road and meet at the sanctuary entrance). The field trip should start approx. 1:30 p.m.

FIELD TRIP TO ST. LUCIE COUNTY IMPOUNDMENTS

DATE AND TIME: Wednesday, July 30, 2003, 9:30 a.m.
PLACE: The meeting site for this field trip is on South Hutchinson Island.

Directions from Vero Beach are:

- South on US Hwy 1 to Seaway Drive/SA1A in Ft. Pierce (high bridge on south side of Ft. Pierce Inlet)
- Left onto Seaway Drive then east to Ft. Pierce Inlet and intersection of SA1A
- Right onto SA1A then south 2.5 miles (+/-) to Bear Point (large sign depicting bear on right hand side of roadway)

QUARTERLY BUSINESS MEETING

DATE AND TIME: Thursday, July 31, 2003, 8:30 a.m.
PLACE: Indian River Mosquito Control District, 5655 41st Street, Vero Beach, FL

The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 1, 2003, 1:00 p.m.
PLACE: Putnam County Agricultural Center, 111 Yelvington Road, East, Palatka, Florida 32131, (386)329-6522
GENERAL SUBJECT MATTER TO BE DISCUSSED: A proposed language change to Chapter 5M-4, F.A.C., which is under development.

A copy of the proposed language change can be obtained by contacting: Wm. Mark Jennings, Office of Agricultural Water Policy, 1203 Governor's Square Blvd., Suite 200, Tallahassee, FL 32301, (850)488-6249.

If special accommodations are needed to attend this meeting, because of a disability, contact Wm. Mark Jennings, as soon as possible.

The Florida **State Fair Authority** announces a meeting of the Nominating Committee

DATE AND TIME: Monday, July 21, 2003, 10:00 a.m.
PLACE: Administration Conference Room, Florida State Fairgrounds, Tampa, Florida 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: To nominate a proposed slate of Officers for 2003-2004.

AGENDA: A copy of the agenda may be obtained by contacting: Ms. Ann Menchen, Florida State Fairgrounds, P. O. Box 11766, Tampa, Florida 33680.

If special accommodations are needed to attend this meeting because of a disability, please contact Ms. Ann Menchen, (813)621-7821, as soon as possible.

DEPARTMENT OF EDUCATION

The **Commission for Independent Education** announces meetings to which all persons are invited.

Commission meeting
DATE AND TIME: Monday, July 28, 2003, 9:00 a.m.
 Health Science Curriculum Committee

DATE AND TIME: Tuesday, July 29, 2003, 9:00 a.m.
PLACE: Marriott Marina, 1881 S. W. 17th Street, Ft. Lauderdale, Florida 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Commission including discipline and licensure. The Health Science Curriculum Committee will meet to conduct committee business.

Any person who decides to appeal a decision of the Commission with respect to any matter considered at this meeting or hearing may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing: Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)448-4925, at least five calendar days prior to the meeting being held. If you are hearing impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Gulf Coast Community College**, District Board of Trustees will hold its monthly meeting as follows:

DATE AND TIME: August 14, 2003, 10:00 a.m. (EDT)
PLACE: E. A. Gardner Seminar Room, Gulf Coast Community College, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Monthly Meeting.

Contact person for the meeting is: Dr. Linda Adair, Acting President.

The Florida **Alliance for Assistive Services and Technology**, Inc., Board of Directors announces a public meeting to which all persons are invited to attend:

DATE AND TIME: Friday, July 18, 2003, 1:00 p.m. – 5:00 p.m.

PLACE: This meeting will be conducted via teleconference, Phone (850)488-0979

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to conduct such business as specifically on the agenda. Time will be set aside to solicit input from the public concerning assistive technology needs and services.

If you have any questions, please contact FFAST, Inc., 325 John Knox Road, Bldg. B., Tallahassee, FL 32303 or by calling (850)487-3278.

If you would like to present information to the Board of Directors, or if you require reasonable accommodations due to a disability, please contact FFAST, Inc. at the above address at least 7 working days in advance of the meeting.

If a person decides to appeal any decision made by the Board of Directors with respect to any matter considered at such meetings, the person will need a record of the proceedings. Additionally, the Board of Directors conduct committee teleconferences, at the call of the committee Chairs, to accomplish the goals and objectives of the committees between full Board meetings. If you would like to present information to a FFAST committee, attend a committee teleconference, or require reasonable telecommunication accommodations due to a disability, please contact the FFAST, Inc. office in writing at the above address.

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

MEETING: Florida Rehabilitation Council Conference Call; Planning Committee

DATE AND TIME: July 16, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Planning Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

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

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

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

MEETING: Florida Rehabilitation Council Conference Call; Coordination Committee

DATE AND TIME: July 17, 2003, 10:00 a.m. – 11:00 a.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Coordination Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

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

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

meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

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

MEETING: Florida Rehabilitation Council Conference Call; Membership Committee

DATE AND TIME: August 1, 2003, 10:00 a.m. – 11:00 a.m.

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Membership Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

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

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

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

MEETING: Florida Rehabilitation Council Conference Call

DATE AND TIMES: August 7, 2003, 10:30 a.m. – 11:30 a.m. – Evaluation Committee; 11:30 a.m. – 12:30 p.m. – Executive Committee

PLACE: VR Headquarters, 2002 Old Saint Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a conference call of the Florida Rehabilitation Council Executive and Evaluation Committee.

A copy of the agenda may be obtained by contacting: Florida Rehabilitation Council, 2002 Old Saint Augustine Road, Building A, Tallahassee, FL 32301-4862, (850)245-3397. Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

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

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a public hearing to receive input from all interested parties on the Low-Income Home Energy Assistance Program (LIHEAP) State Administrative Plan for federal fiscal year (FFY) 2004 to which all interested parties are invited.

PUBLIC HEARING ON THE LIHEAP STATE ADMINISTRATIVE PLAN FOR FFY 2004

DATE AND TIME: August 7, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Conference Room 250L, Tallahassee, Florida 32399-2100, (850)488-7541

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the LIHEAP State Administrative Plan for FFY 2004 which will be submitted to the United States Department of Health and Human Services.

A copy of the state plan and agenda may be obtained by contacting: Department of Community Affairs, Susan Lawrence, Financial Specialist, The Sadowski Building, 2555

Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax (850)488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at this public hearing because of a disability or physical impairment should contact the community assistance section, (850)488-7541, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a public hearing to receive input on the Community Services Block Grant (CSBG) State Administrative Plan for federal fiscal year (FFY) 2004, to which all interested parties are invited.

PUBLIC HEARING ON THE CSBG STATE ADMINISTRATIVE PLAN FOR FFY 2004

DATE AND TIME: Thursday, August 7, 2003, 10:00 a.m. – 11:00 a.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Conference Room 250L, Tallahassee, Florida 32399-2100, (850)488-7541

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the CSBG State Administrative Plan for FFY 2004 which will be submitted to the United States Department of Health and Human Services.

A copy of the state plan and agenda may be obtained by writing: Department of Community Affairs, Susan Lawrence, Financial Specialist, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, by telephoning (850)488-7541, by fax at (850)488-2488 or by appearing in person at the agency headquarters.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Any person requiring a special accommodation at this public hearing because of a disability or physical impairment should contact the community assistance section, (850)488-7541, at least five calendar days prior to the hearing. If you are hearing impaired, please contact the Department of Community Affairs

using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The **Florida Building Commission** announces the following Technical Advisory Committee meeting to which all persons are invited. The meeting will be held at:

Joint meeting of the Fire Technical Advisory Committee and the Fire Marshal's Advisory Council

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

PLACE: The Florida Fire College, 11655 N. W. Gainesville Road, Room 101, Ocala, Florida 34482-1486, (352)369-2800

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to identify potential conflicts between the proposed 2004 Florida Fire Prevention Code and the proposed 2004 Florida Building Code.

A copy of the Committee meeting agenda may be obtained by sending a request in writing: Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436, or looking on the web site at www.floridabuilding.org.

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

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Kathryn Willis at the Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs, Division of Emergency Management** announces a TWO-DAY meeting for the State of Florida Hazard Mitigation Plan Advisory Team (SHMPAT).

DATES AND TIME: Monday, July 21, 2003, 1:00 p.m. – 4:00 p.m.; Tuesday, July 22, 2003, 9:00 a.m. – 4:00 p.m.

PLACE: Kelly Training Center, Department of Community Affairs, Sadowski Building, 3rd Floor, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: A facilitated session for state and federal agencies, non-profit organizations, and interested groups that have a stake in: 1. Participating to the development of long-term state hazard mitigation strategy; 2. Contributing to the formulation of the state hazard mitigation plan as required by federal law (DMA2K: the Disaster Mitigation Act of 2000); 3. Identifying

policies, plans, and programs that pertain to hazard mitigation (initiatives that help reduce the long-term risk to human life and property from natural and technological hazards); 4. Establishing working groups to further the goals and objectives of the state mitigation strategy; 5. Participate in the process of identifying the state critical facilities.

Meeting Agenda for forthcoming and previous meetings can be found at: <http://www.dca.state.fl.us/brm/State-Mitigation-Strategy.htm>.

For further information please contact: Dr. Arthur Oyola-Yemaiel, (850)413-1422, e-mail: arthur.oyola-yemaiel@dca.state.fl.us.

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation, Commission for the Transportation Disadvantaged**, hereby gives notice that a public workshop will be held at the time, date and place listed below:

DATE AND TIME: August 4, 2003, 1:00 pm. or shortly thereafter as can be heard

PLACE: Convention Center Ballroom, Renaissance Orlando Resort at Sea World, 6677 Sea Harbor Drive, Orlando, Florida 32821-8092, 1(800)327-6677 or (407)351-5555.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purposes of rule development on Rules 41-2.002 and 41-2.014, F.A.C.

Notices of rule development were published in Vol. 29, No. 15, of the April 11, 2003, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: John Stanley, Executive Director, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, Florida 32399-0450

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).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

FLORIDA PAROLE COMMISSION

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

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

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 030349-TP – Complaint by Supra Telecommunications and Information Systems, Inc. against BellSouth Telecommunications, Inc. regarding BellSouth's alleged use of carrier to carrier information.

DATE AND TIME: August 4, 2003, 9:30 a.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 a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 020071-WS – Application for rate increase in Marion, Orange, Pasco, Pinellas, and Seminole Counties by Utilities, Inc. of Florida.

DATE AND TIME: August 4, 2003, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

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

DATE AND TIME: August 5, 2003, 9:30 a.m.

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

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

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

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

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

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

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 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: August 5, 2003, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

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

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

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

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

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 030296-TP – Petition for arbitration of unresolved issues resulting from negotiations with Sprint-Florida, Incorporated for interconnection agreement, by AT&T Communications of the Southern States, LLC d/b/a AT&T and TCG South Florida.

DATES AND TIME: August 7-8, 2003, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition for arbitration of unresolved issues resulting from negotiations with Sprint-Florida, Incorporated for interconnection agreement, by AT&T Communications of the Southern States, LLC d/b/a AT&T and TCG South Florida, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on July 24, 2003. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

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

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Volunteerism and Community Service** is pleased to announce a public meeting to which all persons are invited.

DATES AND TIMES: July 31, 2003, 1:00 p.m. – 5:00 p.m.; August 1, 2003, 9:00 a.m. – 2:00 p.m.

PLACE: Embassy Suites on Jamaican Drive, Orlando, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Planning and general Commission business.

Please contact: Gwen Erwin, Volunteer Florida, 401 S. Monroe Street, Tallahassee, FL 32301-2034, for a copy of the agenda.

If you require a reasonable accommodation to participate in the meeting, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

REGIONAL PLANNING COUNCILS

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

MEETING: Executive Committee

DATE AND TIME: July 24, 2003, 6:00 p.m.

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

MEETING: Clearinghouse Committee

DATE AND TIME: July 24, 2003, 6:00 p.m.

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

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: July 24, 2003, 7:30 p.m.

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

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

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

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

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

The **Withlacoochee Regional Planning Council** announces a meeting of its Budget Committee.

DATE AND TIME: Wednesday, July 23, 2003, 10:00 a.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council's Budget for Fiscal Year 2003-2004.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Withlacoochee Regional Planning Council** announces a meeting of its Budget Committee.

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

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council's Budget for Fiscal Year 2003-2004.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Local Emergency Planning Committee**, (LEPC) District VIII, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 30, 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 meeting of the Executive Committee to which all persons are invited.

DATE AND TIME: Monday, August 4, 2003, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Dania Beach; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Executive Committee meeting on monthly Council business.

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.

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a Focus Group Meeting of the Governing Board to which all persons are invited:

DATE AND TIME: July 25, 2003, 8:30 a.m. – 10:30 a.m.

PLACE: Crowne Plaza Hotel – Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to the Florida Metropolitan Planning Organization Advisory Council Institute.

For more information, please contact: Heidi Langston, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037 or e-mail: heidi.langston@dot.state.fl.us

The Florida **Metropolitan Planning Organization Advisory Council** (MPOAC) announces a Focus Group Meeting of the Staff Directors’ Advisory Committee to which all persons are invited:

DATE AND TIME: July 25, 2003, 10:45 a.m. – 12:45 p.m.

PLACE: Crowne Plaza Hotel – Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to the Florida Metropolitan Planning Organization Advisory Council Institute.

For more information, please contact: Heidi Langston, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, FL 32399-0450, 1(866)374-3368, Ext. 4037 or e-mail: heidi.langston@dot.state.fl.us

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

LAKE PANASOFFKEE RESTORATION COUNCIL MEETING

DATE AND TIME: Monday, July 28, 2003, 5:00 p.m.

PLACE: Sumter County Courthouse Commission Chambers, 209 North Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Council business.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING

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

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Committee meetings, Board meeting and public hearing.

GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, July 30, 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.

WITHLACOOCHIE RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, August 5, 2003, 8:30 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2004 final millage and budget.

COASTAL RIVERS BASIN BOARD MEETING

DATE AND TIME: Tuesday, August 5, 2003, 1:00 p.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2004 final millage and budget.

WITHLACOOCHIE RIVER BASIN BOARD MEMBERS' MEETING

DATE AND TIME: Wednesday, August 6, 2003, 9:00 a.m.

PLACE: Inglis Town Hall, 135 Highway 40, West, Inglis, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss and tour various Levy County areas relative to water management issues of mutual concern.

ALAFIA RIVER BASIN BOARD MEETING

(Note: This meeting, scheduled for Thursday, August 7, 2003, has been cancelled and rescheduled for a later date.)

NORTHWEST HILLSBOROUGH BASIN BOARD MEETING (Note: This is a change of time from what was originally scheduled on the published year-long calendar.)

DATE AND TIME: Thursday, August 7, 2003, 1:30 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including adoption of Fiscal Year 2004 final millage and budget.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

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

DATE AND TIME: Thursday, July 24, 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: Analysis of Refuge Phosphorus Data and Related Matters

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Dr. Garth Redfield, in the Environmental Monitoring and Assessment Department 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 to which all interested parties are invited:

DATE AND TIME: Thursday, July 24, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: Okeechobee County School Board, Freshman Campus Auditorium, 700 S. W. 2nd Avenue, Okeechobee, FL 34974

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the Lake Okeechobee Protection Plan process for developing alternatives and preliminary results for reaching compliance with the mandated lake Total Maximum Daily Load (TMDL).

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Missie Barletto, Okeechobee Service Center, (863)462-5260 or 1(800)250-4200, 205 N. Parrott Avenue, Suite 201, Okeechobee, FL 34972.

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

DATE AND TIME: July 31, 2003, 5:30 p.m.

PLACE: The South Florida Water Management, Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Present proposal for Florida Recreation Development Assistance Program (FRDAP) grant application for a boardwalk within the Single Creek Management Area in south-central Orange County. Orange County Parks and Recreation Department will be the applicant with the South Florida Water Management District providing the requisite matching money.

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

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: William Graf, Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL, (407)858-6100, Ext. 3837.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Finance, Audit and Program Performance Committee Meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 29, 2003, 9:00 a.m. – completion

PLACE: 2740 Centerview Drive, Room 330, Rhyne Building, Tallahassee, FL (850)410-5700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605

Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a LYNX Oversight Committee Meeting to which all persons are invited.

DATE AND TIME: Monday, August 4, 2003, 9:00 a.m. – completion

PLACE: Renaissance Orlando Resort at Sea World, 6677 Sea Harbor Drive, Orlando, FL 32821, (407)351-5555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces an Ombudsman Committee Meeting to which all persons are invited.

DATE AND TIME: Monday, August 4, 2003, 11:00 a.m. – 12:30 p.m.

PLACE: Renaissance Orlando Resort at Sea World, 6677 Sea Harbor Drive, Orlando, FL 32821, (407)351-5555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Quarterly Business Meeting to which all persons are invited.

DATE AND TIME: Monday, August 4, 2003, 1:00 p.m. – completion

PLACE: Renaissance Orlando Resort at Sea World, 6677 Sea Harbor Drive, Orlando, FL 32821, (407)351-5555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Commission business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** is holding a workshop for all providers and potential providers of services under the long-term care community diversion pilot projects. Participation is voluntary and all interested parties are invited to attend.

DATE AND TIME: July 29, 2003, 9:30 a.m. – 5:00 p.m.

PLACE: 4040 Esplanade Way, Room 225F, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE DISCUSSED: Expansion of the long-term care community diversion projects under Section 430.705, F.S., and information of interest to any existing providers or potential providers of services under that section.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Statewide Community Based Services, (850)414-2140, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department of Elder Affairs using the Florida Dual Party Relay System which can be accessed by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The Florida **Department of Elder Affairs** announces a public hearing to which all persons are invited.

DATE AND TIME: July 31, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Department of Elder Affairs, Room 225F, 4040 Esplanade Way, Tallahassee, FL 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Advisory Council for the Office of Long-Term Care Policy to discuss the state of long-term care in Florida and methods for improvement.

To obtain a copy of the agenda, please contact: Jennifer Sindt, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2091, email: Sindtj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting Jennifer Sindt

by phone at (850)414-2091. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

The **Area Agency on Aging** of Pasco-Pinellas, Inc. for Planning and Service Area 5 of the Florida Department of Elder Affairs, will present its 2004 Area Plan Update for the distribution of funds under the federal Older Americans Act of 1965, as amended, to projects providing services to the elderly residents of Pasco and Pinellas Counties at the following public hearings:

PINELLAS COUNTY PUBLIC HEARING

DATE AND TIME: Tuesday, August 5, 2003, 9:30 a.m. – 11:00 a.m.

PLACE: St. Petersburg Multi-Purpose Senior Center, 330 5th Street, North, St. Petersburg, Florida

GUEST SPEAKER: Representative Frank Farkas

PASCO COUNTY PUBLIC HEARING

DATE AND TIME: Wednesday, August 6, 2003, 9:30 a.m. – 11:00 a.m.

PLACE: Claude Pepper Senior Center, 6640 Van Buren Street, New Port Richey, Florida

GUEST SPEAKER: Representative Tom Anderson

To request more information or accommodations for persons with disabilities, contact Sharon Thompson-Ayers at the Area Agency on Aging, 9887 4th Street, North, Suite 100, St. Petersburg, Florida 33702, or call (727)570-9696, Ext 230, TDD (711), no later than July 28.

The **Area Agency on Aging of Palm Beach/Treasure Coast**, Inc. is holding a public hearing to which all interested persons are invited to participate.

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

PLACE: North County Senior Center, 5217 Northlake Blvd., Palm Beach Gardens, FL 33418

GENERAL SUBJECT MATTER TO BE CONSIDERED: To secure testimony concerning information required for its 2004 Area Plan.

The public is encouraged to attend and to testify concerning services that the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. provides to older persons and their caregivers residing in Indian River, Martin, Okeechobee, Palm Beach, and St. Lucie counties. Persons that wish to offer comment at the hearing are asked to limit their presentations to three minutes and to restrict their remarks to issues related to services provided by the Area Agency on Aging.

Those persons wishing to speak at the public hearing should contact Holly Carter, (561)684-5885. It is also requested that you submit a written copy of your testimony to Holly Carter, Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 1764 North Congress Avenue, Suite 201, West Palm Beach, FL 33409.

Persons with hearing disabilities may request assistance by contacting Holly Carter at the number above prior to July 24, 2003.

DEPARTMENT OF MANAGEMENT SERVICES

The **Governor's Americans with Disabilities Act Working Group's Real Choice Partnership Project** is holding its Consumer Task Force's public hearing and quarterly meeting to which all interested persons are invited to participate.

DATES AND TIME: Thursday, July 24, 2003; Friday, July 25, 2003, 6:00 p.m. – 8:00 p.m.

PLACE: Sheraton Suites, Tampa Airport, 4400 W. Cypress Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Consumer Task Force considers the public testimony received at the meeting when making recommendations to the Governor and others regarding Florida's implementation of its systems change programs.

Please contact Lloyd Tribley, (850)922-4103, for clarification or additional information.

The **Department of Management Services** announces a meeting of the MyFloridaMarketPlace Steering Committee to which all persons are invited.

DATE AND TIME: Monday, July 28, 2003, 1:00 p.m. – 2:30 p.m.

PLACE: 2002 Old St. Augustine Road, Suite E-45, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact John Kuczwanski, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, FL 32399-0950, (850)921-5266, at least 48 hours prior to the workshop.

The State of Florida, **State Technology Office** announces a Chief Information Officer (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, July 21, 2003, 10:00 a.m. – 12:00 Noon

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, Elaine.Womble@myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meetings, to which all persons are invited to attend.

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

PLACE: Ritz-Carlton, 1111 Ritz-Carlton Drive, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Apropos Design Studio, Case No. 2002-014035

Architectural Aluminum Design, Inc., Case No. 2003-002529

Mitch Baxley, Case No. 2003-057718

Darci Bock, Case No. 2002-014038

Raul Carrasco, Carrasco Design Group, Case No. 2003-042253

Brett Carter, Case No. 2003-047146

Jenny L. Cocanougher, Case No. 2003-050487

Gloria N. Ellinwood, Case No. 2003-064514

Kenneth Ferruggia, Kenaco Development Corporation, Inc., Case No. 2003-001573

Russell W. Groos, Design Professionals of Naples, Case No. 2003-001847

Sheila Hawley, Case No. 2003-052693

Nancy Henslee, Apropos Design Studio, Case No. 2002-014037

Broderick Husserl, Husserl Design Group, Case No. 2003-054292

Frank Kelly, Design Mates Associates, Case No. 2002-012364

Vikki L. Kemp, Gold Leaf Design Studio, Case No. 2003-059030

Norita Murphy, Case No. 2003-056036

Agnes Pflieger, ACP Design, Inc. Case No. 2003-051687

John Shakib, Case No. 2003-004256

Susie Skocher, Apropos Design Studio, Case No. 2002-014036

SRL Associates, Case No. 2003-042406

Carlos A. Vargas, Case No. 2003-003592

John A. Yencho, Case No. 2003-058133

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, FL 32308-4893.

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 Smith, Thompson, Shaw & Manausa, P.A., (850)402-1570, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Architecture and Interior Design** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: July 30, 2003, 9:00 a.m. (EST)
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Architecture Committee, Interior Design Committee, Rules, and Educators' Task Force Committee, followed by General Board and Business Meeting.

DATE AND TIME: July 31, 2003, 9:00 a.m. (EST)
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.
 PLACE: The Ritz Carlton Sarasota, 1111 Ritz-Carlton Drive, Sarasota, Florida 34236, (941)309-2000 or 1(888)449-7644

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

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

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

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: July 22, 2003, 9:00 a.m. and 10:00 a.m. or soon thereafter
 PLACE: Dept. of Business and Professional Regulation, 725 South Bronough Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Board of Funeral Directors and Embalmers** announces the following meetings to which all parties are invited to attend.

DATE AND TIME: August 5, 2003, 1:00 p.m.
 PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee meeting, Rules Committee meeting and Probable Cause Panel meeting, portions which are closed to the public.

DATE AND TIME: August 6, 2003, 8:00 a.m.
 PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

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

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-1395, 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 Landscape Architecture** announces the following meeting, to which all persons are invited to attend.

DATE AND TIME: August 1, 2003, 8:00 a.m. (EST)
 PLACE: Marriott's Harbor Beach Resort and Spa, 3030 Holiday Drive, Ft. Lauderdale, FL 33316, (954)766-6118

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

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

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

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

The Florida **Board of Pilot Commissioners** announces a Probable Cause Meeting, portions of which will be closed to the public.

DATE AND TIME: July 24, 2003, 3:00 p.m.

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

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, FL

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)922-5012, 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).

NOTICE OF CANCELLATION – The Florida **Board of Professional Engineers** announces the public meeting of the Educational Advisory and Application Review Committees has been cancelled:

DATE AND TIME: Wednesday, July 16, 2003, 9:00 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

NOTICE OF CANCELLATION – The Florida **Board of Professional Engineers** announces that the Probable Cause Panel meeting has been cancelled.

DATE AND TIME: Tuesday, July 22, 2003, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

NOTICE OF CANCELLATION – The Florida **Board of Professional Engineers** announces that the public telephone conference call has been cancelled.

DATE AND TIME: Wednesday, July 23, 2003, 2:00 p.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303, Conference Call Number: 1(800)659-8290

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public conference call of the Legislative Committee to which all persons are invited:

DATE AND TIME: Friday, July 25, 2003, 2:00 p.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303, Conference Call Number: 1(800)955-9331

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on proposed legislation.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Rules Committee to which all persons are invited:

DATE AND TIME: Wednesday, August 6, 2003, 9:00 a.m. – conclusion of meeting

PLACE: The Harbor Beach Marriott, 3030 Holiday Drive, Fort Lauderdale, Florida 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on proposed rules.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida Engineers Management Corporation and the Florida **Board of Professional Engineers** announces a joint public meeting, to which all persons are invited:

DATE AND TIME: Thursday, August 7, 2003, 8:30 a.m. – conclusion of meeting

PLACE: The Harbor Beach Marriott, 3030 Holiday Drive, Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Corporation and the Board.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal a decision made by the Corporation with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Tuesday, August 19, 2003, 8:30 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The **Board of Professional Geologists** announces a Probable Cause Panel Meeting, to which all interested parties are invited to attend.

DATE AND TIME: July 30, 2003, 2:00 p.m.

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To reconsider the following cases: 2003-002645; 2002-010574; 2002-013274.

A copy of the agenda may be obtained by writing: Juanita Chastain, Executive Director, Department of Business and Professional Regulation, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395.

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, 1(800)955-8771.

Persons requiring special accommodations due to disability or physical impairment should contact Juanita Chastain by Tuesday, 22, 2003.

The Florida **Building Code Administrators and Inspectors Board** announces the following meetings to which all persons are invited to attend.

DATE AND TIME: August 7, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application, Rules and Legislation, Examination and Continuing Education, and Executive Committee Meetings and General Board and Business Meeting.

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

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

PLACE: Ritz-Carlton, 1111 Ritz-Carlton Drive, Sarasota, FL 34236

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

Probable Cause Panel

DATE AND TIME: Thursday, August 21, 2003, 9:00 a.m.

Meeting of the Board

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

PLACE: Department of Business and Professional Regulation Board Room, 1940 North Monroe Street, Tallahassee, 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, 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.

The Probable Cause Panel of the Florida **Real Estate Appraisal Board** announces a meeting to which all interested persons are invited. Portions of the probable cause proceedings are not open to the public.

DATE AND TIME: August 4, 2003, 10:00 a.m. or the soonest thereafter

PLACE: Suite 901, North Tower, Ninth Floor, 400 West Robinson Street, Orlando, Florida

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: August 5, 2003, 8:30 a.m.

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

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

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

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a Mental Health Committee meeting to be held in Tallahassee, Florida, to which all persons are invited:

DATE AND TIME: August 22, 2003, 10:00 a.m. – 2:00 p.m.

PLACE: Correctional Medical Authority, 1632 Metropolitan Circle, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to mental health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B04, Tallahassee, FL 32399-1732 or calling (850)410-1450.

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

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

DATE AND TIME: Monday, July 28, 2003, 1:00 p.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, FL; Meet Me Number (850)488-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: General committee business.

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

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

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

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

DATE AND TIME: Thursday, July 31, 2003, 5:00 p.m.

PLACE: Hyatt Regency, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine**, Ad Hoc American Association of Physician Specialists Committee announces a meeting to which all persons are invited.

DATE AND TIME: July 31, 2003, commencing at the conclusion of the Surgical Care Committee meeting or soon thereafter

PLACE: Hyatt Regency, 9300 Airport Blvd., Orlando, Florida 32827, (407)825-1234

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.

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

DATES AND TIME: August 1-2, 2003, 8:00 a.m.

PLACE: Hyatt Regency, 9300 Airport Blvd., Orlando, Florida 32827, (407)825-1234

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5)

calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

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

DATE AND TIME: August 1, 2003, commencing at the end of the Full Board meeting

PLACE: Hyatt Regency, 9300 Airport Blvd., Orlando, Florida 32827, (407)825-1234

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

Please note that if a person decides to appeal any decision made by the board or committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Medicine**, Dietetics-Nutrition Electrolysis Committee announces a meeting to which all persons are invited.

DATE AND TIME: August 1, 2003, commencing at conclusion of the Full Board meeting or soon there after

PLACE: Hyatt Regency, 9300 Airport Blvd., Orlando, Florida 32827, (407)825-1234

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which is to be based.

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

DATE AND TIME: August 1, 2003, commencing at the conclusion of the Full Board meeting or soon there after

PLACE: Hyatt Regency, 9300 Airport Blvd., Orlando, Florida 32827, (407)825-1234

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.

The **Department of Health** and the Dietetics and Nutrition Practice Council, under the Board of Medicine, announces a meeting to which all persons are invited.

DATE AND TIME: September 12, 2003, 10:00 a.m. or soon thereafter

PLACE: The Department of Health, 4042 Bald Cypress Way, RM 301, Tallahassee, FL 32399, (850)245-4373, Number – (850)487-9580, Suncom 277-9580

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

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the council office at (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited. (Change in location for Friday only)

DATE AND TIME: August 15, 2003, 8:30 a.m. – 6:00 p.m.

PLACE: Exhibit Hall, Leon County Civic Center, 505 West Pensacola Street, Tallahassee, FL 32301, (850)487-1691, Fax (850)222-6947

GENERAL SUBJECT MATTER TO BE CONSIDERED: Full Board Meeting.

DATE AND TIME: Wednesday, August 13, 2003, 1:00 p.m. – 5:00 p.m.

PLACE: Exhibit Hall, Leon County Civic Center, 505 West Pensacola Street, Tallahassee, FL 32301, (850)487-1691, Fax (850)222-6947

GENERAL SUBJECT MATTER TO BE CONSIDERED: Information Workshop on the Multi-State Nursing Licensure Compact. Representatives from the National Council of State Boards of Nursing will present information on the development and implementation of the Multi-state Nursing Licensure Compact. Representatives from the Texas Board of Nursing will present information about their experiences in implementing the compact in Texas. Copies of the model compact may be found on the National Council web site: www.ncsbn.org.

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

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office (850)245-4125 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Nursing Home Administrators** announces a Telephone Conference for a Probable Cause Panel Meeting to which all interested persons are invited.

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

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, FL 32399, Telephone No.: (850)921-5510

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting where probable cause was previously found.

A copy of the agenda and any probable cause materials which are open to the public may be obtained by writing: Board of Nursing Home Administrators, 4052 Bald Cypress Way, #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)245-4292, Ext. 3602, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

The **Department of Health, Board of Nursing Home Administrators** announces a General Board Meeting to which all interested persons are invited.

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

PLACE: Marriott Tampa Westshore, 1001 North Westshore Blvd., Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approve applications, review rules, conduct disciplinary proceedings, and general business of the Board.

A copy of the agenda may be obtained by writing: Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)245-4292, Ext. 3602, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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

DATE AND TIME: July 31, 2003, 10:00 a.m.

PLACE: Teleconference Meeting: (850)488-8295, (850)278-8295 Suncom

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee to review Rule 64B16-26.301, F.A.C., Subject Matter for Consultant Pharmacist Training Program and Rule 64B16-26.302, F.A.C., Subject Matter for Consultant Pharmacist Recertification Programs.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Garnet Keller, Program Operations Administrator, Board of Pharmacy, 4052 Bald Cypress Way, BIN C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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

DATE AND TIME: August 10, 2003, 8:00 a.m. – 12:00 Noon

PLACE: Crowne Plaza, 5555 Hazeltine National Drive, Orlando, FL 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Rules Committee meeting will be held to consider the establishment or revisions of Board rules and additional comments/suggestions.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

The **Department of Health, Board of Pharmacy**, Public and Professional Affairs Committee and Internet Pharmacy Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2003, 1:00 p.m.

PLACE: Crowne Plaza, 5555 Hazeltine National Drive, Orlando, FL 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Public and Professional Affairs Committee and the Internet Pharmacy Committee will meet to discuss general business.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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

DATE AND TIME: August 11, 2003, 8:00 a.m. – 6:00 p.m.

PLACE: Crowne Plaza, 5555 Hazeltine National Drive, Orlando, FL 32812

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

The **Department of Health, Board of Respiratory Care**, Probable Cause Panel, announces meetings to which all persons are invited.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases previously heard by the Probable Cause Panel.

NUMBERS: The meet me number may be obtained by contacting Ivy Shivers, Regulatory Supervisor, Medical Therapies/Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, (850)245-4372.

Following the public portion of the meeting, the doors will be closed to the public.

A copy of the agenda may be obtained by writing: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the board office at (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 11, Miami-Dade Community Based Care Alliance, System of Care 13-18 Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, July 21, 2003, 3:30 p.m.

PLACE: Rhode Building, 401 N. W. 2nd Avenue, Suite S-1014 Conference Room, Miami, Florida 33128, (305)377-5787

GENERAL SUBJECT MATTER TO BE CONSIDERED: Miami-Dade Community Based Care Alliance System of Care 13-18 Committee Meeting.

For copies of the agenda, further information, or person requiring accommodations in order to participate in this meeting should contact Ana M. Hereau-Mijares, Operations and Management Consultant II, (305)377-5787 or in writing by close of business (5:00 p.m.) no later than five working days prior to the meeting.

The **Department of Children and Family Services** announces a public hearing to which all persons are invited.

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

PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the department's intent to further amend proposed Administrative Rules 65A-1.701, 65A-1.702, 65A-1.703, 65A-1.710, 65A-1.711, 65A-1.712, 65A-1.713, and 65A-1.714, F.A.C., concerning the addition of definitions; removal of the Medically Needy disregard; correct rule citations; remove policy statements that are covered elsewhere; and, other changes that are in response to actions of the 2003 Legislature in Special Session.

The rules were previously scheduled for a hearing on May 12, 2003 by a notice of proposed rulemaking in the Florida Administrative Weekly, Vol. 29, No. 16, April 18, 2003.

Any person desiring special accommodations under the Americans with Disabilities Act or desiring a copy of the agenda for this hearing should contact Nathan Lewis, Program Administrator, Economic Self-Sufficiency Program, Tallahassee, Florida 32399-0700 or (850)414-5927. If special accommodations are required, please make the contact at least 24 hours prior to the hearing.

PUBLIC HEARING AGENDA

AMENDMENT OF ADMINISTRATIVE RULES 65A-1.701, 65A-1.702, 65A-1.703, 65A-1.710, 65A-1.711, 65A-1.712, 65A-1.713, and 65A-1.714, F.A.C.

1. Discuss the additions of definitions; removal of the Medically Needy disregard as required by Legislative action; correction of rule citations; removal of policy statements that are covered elsewhere; and, incorporation of forms by reference, including a new form providing information about protection of personal health information and a new Silver Saver Drug Program notice that eligibility must be redetermined.
2. Discuss, in addition to removing the Medically Needy disregard, the amendment of Rule 65A-1.703, F.A.C., to add two coverage subgroups of those children in the care of the department. Both of the subgroups contain children who are under the age of 21 and are transitioning to independent living. The first subgroup is of children exiting from foster care as older children and young adults to make a transition to self-sufficiency. The second subgroup will be of young adults formerly in foster care who received services up to the age of 18 or who have spent at least six months in foster care prior to their 18th birthday. This sub-group will include those young adults who are in the process of obtaining a post-secondary education degree. Notice of rule development for these changes was published in Vol. 29, No. 19 on May 9, 2003.
3. Discuss the amendment of Rules 65A-1.702, 65A-1.712 and 65A-1.714, F.A.C., to implement changes in spousal impoverishment policies used in the Institutional Care Program (ICP), the Home and Community-Based Services (HCBS) Assisted Living Waiver (ALW) program, and the Cystic Fibrosis (CF) Waiver program. Notice of rule development for these changes was published in Vol. 29, No. 11 on March 14, 2003. The spousal impoverishment changes in the ICP program will require hearing officers to consider all income in the fair hearing process that will actually be available to the community spouse following the institutional spouse's ICP benefit approval. This evaluation will be done before granting an exception to the community spouse resource allowance so that resources can be used to generate income that bring the community spouse's income to the Minimum Monthly Maintenance Income Allowance (MMMIA). Additionally, spousal impoverishment policies currently used in ICP will replace calculations based on SSI cash assistance federal standards to determine income to be diverted to the community spouse and other dependents in the HCBS ALW program and the CF Waiver program.

4. Discuss the amendment of Rule 65A-1.710, F.A.C., in addition to being amended to remove the Medically Needy disregard, to incorporate a new Silver Saver Drug Program form by reference. This form will be used to notify participants in this program that their eligibility must be redetermined.

The **Department of Children and Family Services**, District 12, Community Alliance Foster Parent Recruitment and Retention Taskforce announces a public meeting to which all persons are invited.

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

PLACE: Child Care Resource Network, 230 North Beach St., 2nd Floor Conference Room, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by writing: 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, (386)238-4648, at least 48 hours in advance of the meeting. If you are hearing or speech impaired, please use Florida Relay Service for TDD or TTY at 1(800)955-8771.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited:

DATE AND TIME: Friday, July 25, 2003, 10:30 a.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: Monday, July 28, 2003, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2003/01 for Court Reporter services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of responses submitted for Florida Housing Finance Corporation's Invitation to Negotiate #2003/01 for Consulting Services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, at Florida Housing Finance Corporation, (850)488-4197, at least 48 hours prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

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

PLACE: 46th Annual Meeting and Executive Development Conference, Adams Mark Daytona Beach Resort, 100 North Atlantic Avenue, Daytona Beach, Florida 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Firefighters Employment, Standards and Training Council.

A copy of the agenda may be obtained by writing: Department of Financial Services, Division of State Fire Marshal, 11655 Northwest Gainesville Road, Ocala, Florida 34482, or by calling (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting should contact the address or phone number listed above no later than five working days prior to the meeting.

FLORIDA LOCAL GOVERNMENT INVESTMENT TRUST

The Board of Trustees for the **Florida Local Government Investment Trust** announce a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2003, 10:30 a.m.

PLACE: Nabors, Giblin & Nickerson, P.A., 450 South Orange Avenue, Suite 510, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Administrative Operations.

A copy of the agenda may be obtained by contacting the Trust's Administrator, FACC Service Corporation, (850)921-0808.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION

The **Florida Self-Insurers Guaranty Association, Inc. (FSIGA)** announces a meeting of its Board of Directors which is to be held at the venue of the annual convention of the Florida Association of Self-Insurers (FASI). All members of FSIGA and other interested parties are encouraged to attend.

DATE AND TIME: Monday, July 28, 2003, 3:30 p.m.

PLACE: Ritz-Carlton Naples, 280 Vanderbilt Beach Road, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

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

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.

SUNSHINE STATE ONE CALL OF FLORIDA

Mark your calendars for **Sunshine State One Call of Florida, Inc.**'s strategic planning and August board and committee meetings. Casual attire for all meetings will be acceptable.

STRATEGIC PLANNING MEETING

DATE AND TIME: July 30, 2003, 8:00 a.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting announcements and kick off by Chairman. Sunshine Law review and legal responsibilities discussed. Board discussion and planning for standing committees, new AdHoc committees, board budget, board travel. Afternoon will be highlighted by the review of last year's strategic planning goals and 2002/03 achievements for SSOCOF.

STRATEGIC PLANNING MEETING AND COMMITTEE MEETINGS

DATE AND TIME: July 31, 2003, 8:00 a.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-term vision of SSOCOF followed by a short Executive Review Committee Meeting for the Executive Director and General Counsel. Committees will meet for 90 minutes each to discuss 2003/04 goals and meet in the following order: 9:15 a.m. – Operations Committee; 11:00 a.m. – Finance Committee; 1:30 p.m. – Damage Prevention Committee.

BOARD MEETING

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Secretary's report followed by the Executive Directors report and consent agenda, General Counsel's legal report and trip reports on the May SOCS meeting and May AGT meeting. Committee reports to begin at approximately 9:15 a.m. in the following order: Executive Review Committee; Operations Committee; Finance Committee; Damage Prevention Committee.

PLACE: Radisson Beach Resort, 1110 Santa Rosa Blvd., Ft. Walton Beach, FL 32548, (850)243-7704

Note: Any person requiring an accommodation at this meeting because of a physical impairment should call the one-call notification center, (386)575-2000, at least five calendar days prior to the activity. Any person who is hearing or speech impaired should contact the one-call notification center through the Florida Relay Center, 1(800)955-8771.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: August 13, 2003, 8:00 a.m.
 PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

BREVARD COUNTY TRANSPORTATION ENGINEERING DEPARTMENT

NOTICE OF CHANGE – The **Brevard County Transportation Engineering Department** announces a rescheduled Public Hearing to which all persons are invited. This Public Hearing was scheduled for July 31, 2003 and was noticed in the July 11, 2003 Florida Administrative Weekly.

DATE AND TIME: August 14, 2003, 5:00 p.m. – Open House; 7:00 p.m. – Formal Presentation
 PLACE: Brevard County Court House, Brevard Room, 400 South Street, Titusville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code, and Section 335.18, Florida Statutes. This hearing is being held in accordance with the Section 339.155 Florida Statutes, Chapter 120 Florida Statutes, 23 CFR 771, 23 USC 128. The hearing is also consistent with the Americans with Disabilities Act of 1990. This hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. This hearing is being held to afford interested persons the opportunity to express their views concerning the proposed project Financial Project Identification Number: 2412001-1 otherwise known as the A. Max Brewer Bridge Replacement Project Development and Environment Study. This study is being coordinated with the Florida Department of Transportation District 5. Potential encroachment on wetlands and floodplains may be given special consideration under Executive Orders 11990 and 11988.

Anyone needing project or public hearing information may contact Ms. Harriet Raymond, Brevard County Transportation Engineering Department, by calling (321)617-7202 or by writing: Ms. Raymond, Brevard County Transportation Engineering Department, 2725 Judge Fran Jamieson Way, Building A, Viera, Florida 32940.

Anyone requesting special accommodations under the Americans with Disabilities Act of 1990 should contact Ms. Raymond, (321)617-7202 or by writing to Ms. Raymond at the

address above. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing to Ms. Raymond at the address above.

**Section VII
 Notices of Petitions and Dispositions
 Regarding Declaratory Statements**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Funeral Directors and Embalmers hereby gives notice that it has received Petition for Declaratory Statement filed by Timothy J. Scott.

The Petitioner seeks the Board's interpretation of the application of Section 470.014, Florida Statutes. Specifically, Petitioner seeks the Board's Interpretation as to whether the Statute and Rule 61G8-18.003, F.A.C., can be satisfied by his service in the U.S. Army. The Board will consider this petition at its meeting scheduled for August 5-6, 2003, at the Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida.

Copies of the petition may be obtained by writing: Juanita Chastain, Executive Director, Board of Funeral Directors and Embalmers, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

NOTICE IS HEREBY GIVEN that on June 26, 2003, the Board of Professional Surveyors and Mappers received a Petition for Declaratory Statement with regard to Sections 177.04(1), 177.061, and 177.081(1), Florida Statutes, from St. Johns County Board of County Commissioners. Petitioner requests a declaratory statement from the Board addressing, confirming, and clarifying the meaning and intent of the stated statutory authority for St. Johns County Surveyors and Mappers and other professional surveyors and mappers who submit documents to the County as part of the required development process. This matter will be addressed by the Board at the Practice Committee meeting during the regularly scheduled board meeting on July 18, 2003 at 8:00 a.m. or shortly thereafter, at the Hilton Gardens Inn, 12 Via De Luna Drive, Pensacola, Florida 32561.

A copy of the Petition may be obtained by writing: Juanita Chastain, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Department of Health issued a Final Order in response to a petition for a declaratory statement filed by Progressive Express Insurance Company with respect to Section 456.0375, Florida Statutes.

The Department determined that mobile diagnostic service companies fall under the definition of a clinic and, therefore, are required to register with the Department as a health care clinic.

For a copy of the petition and final order, contact: Larry McPherson, Executive Director, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN that the Board of Massage Therapy received a Petition for Declaratory Statement filed on June 24, 2003 from Adele J. Carr, by and through her attorney Moyle Flanigan Katz Raymond & Sheehan, P.A. 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 neuromuscular reeducation, direct therapeutic activities and therapeutic exercise.

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.

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 Derryl B. O’Neal, Fire Chief, Madeira Beach Fire Department. The following is a summary of the agency’s disposition of the petition:

- A. A county construction licensing board does not have the authority or the legal ability to weaken, lessen, or in any manner make less stringent the requirements of the Florida Fire Prevention Code as found in Rule Chapter 4A-60 and the codes and standards adopted therein, pursuant to Sections 633.0215(7), 633.0215(10), and 633.025(4), Florida Statutes.
- B. A spiral stairway may serve as a second means of egress PROVIDED that it only serves a single dwelling unit.
- C. A spiral stairway which serves more than a single dwelling unit may not serve as a second means of egress.

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, phone (850)413-3604, fax number (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 (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>.

**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

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-112, W/O 606768, S. W. Chilled Water Plant #4 Expansion, estimated budget: \$1,000,000-\$1,400,000, to be opened August 14, 2003, at 2:00 p.m., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Remove and disposed of existing cooling tower #3. The owner shall have the option to retain all parts of existing tower #3 before it is disposed of. Provide and install a new ceramic two cell cooling tower, 650 tons, with concrete basin, ceramic fill, PVC internal supply headers, variable speed fan motors, variable speed drives and all associated controls and devices. Install 650 ton chiller pre purchased by the owner and associated chilled and condenser water piping. Install new condenser water header to serve three existing chillers and new chiller from common header. Connect the new ceramic cooling tower and the two existing cooling towers to the new common condenser water header. The tower and chiller connections to the new condenser water header shall be phased such that only two machines are out of operation at any one time. Install new 316 stainless steel supply and return branch connections from the new condenser water header to the new ceramic cooling tower cells, typical of two. Supply and install new condenser water pumps in the new tower sumps, typical of two. Install new owner pre purchased chiller starter. Owner to assign the chiller and all associated devices to the contractor. The contractor will be responsible for coordination of delivery, storage, installation and first year parts and labor warrantee of the chiller and associated devices. Provide and install new chilled water primary pump and associated pipe and electrical equipment. Provide and install

new chilled water secondary pump and associated pipe and variable speed drive. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Mandatory Pre-bid Meeting will be held July 31, 2003, at 10:00 a.m. in the Physical Plant Division Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to A.J. Sontag, C.P.M., Assistant Director, UF Purchasing, (352)392-1331, Ext. 304. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Emily J. Hamby, (352)392-1331, Ext. 303, within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

FOR

Request for Qualifications (RFQ)

Professional Services

Architect/Engineering Services

The Office of Facilities Planning and Construction announces that Architect/Engineer services are required for a project entitled District-wide Roof Replacement Project, Stage III, Project No. M-88870 for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately, Budgeted Not to Exceed \$1,813,942.00 CONSTRUCTION BUDGET.

The project scope shall consist of Replacement of the entire old shingle roof system at Mandarin Oaks Elementary School No. 258 and Crystal Springs Elementary School No. 226 with new metal standing seam roofing systems including deck repair as needed. All design services associated with the installation of the new roof system will be included as part of the contract.

Applicants are advised that the Owner may reuse all plans, drawings and specifications for this project. This reuse of professional services may include the following schools: Alimacani Elementary School #257, Chimney Lakes Elementary School #232 and Sabal Palm Elementary School #239.

Applications are to be sent to:

Duval County Public Schools
 Facilities Planning & Construction
 1701 Prudential Drive – 5th Floor
 Jacksonville, FL 32207-8182

PROJECT MANAGER: Dale Hughes
 PHONE NO.: (904)858-6300
 RESPONSE DUE DATE: RFQ's are due on or before August 18, 2003 and will be accepted until 4:30 p.m.
 MBE GOALS: Encouragement Plan

Information on the selection process can be found at www.educationcentral.org/facilities under Forms and Standards, General Documents, Selection of Architect/Engineer.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District 5 is soliciting bids to make building repairs, and eliminate water intrusion as described below. Sealed bids will be accepted until 2:00pm (local time) Thursday, August 21, 2003 at: Florida Department of Transportation District Five Office, 719 S. Woodland Boulevard, DeLand, Florida 32720, District Contracts Office, 4th Floor, Rm. 4C75. Mailed bids, regular or overnight, must be received in the District Five mailroom by the 2:00 p.m. deadline. Address mailed Packages: "Sealed Bid, MS522P, Attention Cindy Maluda". Bids will be publicly opened and read aloud on:

DATE AND TIME: August 21, 2003, shortly after 2:00 p.m. deadline

PLACE: Florida Department of Transportation, District Five Office, 719 S. Woodland Boulevard, DeLand, Florida

State Project Number: 243342-4-52-01, 243352-4-52-01, 243376-1-A1-02

Contract Number: E5F83

Work under this contract consists of the following: Repair front (West) wall and various office areas to eliminate water intrusion and reconstruct interior offices, at the FDOT Orlando Office Complex, located at 133 South Semoran Boulevard, Orlando, FL. Re-Construction will involve repairing leaks, sealing block walls, insulating wall areas, replacing drywall, carpet tile, ceiling tile and wall papering.

A MANDATORY PRE-BID CONFERENCE is scheduled for August 12, 2003 at 10:00 a.m. (local time), at the Departments Orlando Office Complex, 133 South Semoran Boulevard, Orlando, FL, Apopka Conference Room. Agency representatives will be present to discuss the Plans, Specifications and Contract Documents for this project.

ANY CONTRACTOR WHO DOES NOT ATTEND THIS MANDATORY PRE-BID MEETING IN ITS ENTIREITY WILL NOT BE ELIGIBLE TO BID THIS PROJECT.

PREQUALIFICATION: Each bidder shall submit with their bid a copy of their current General or Building Contractors License issued by the State of Florida and, if a Florida Corporation, a copy of the Corporate Charter as pre-qualification of their eligibility to submit bids. After the bid opening, the Department will verify that the lowest responsible bidder meets qualifications in accordance with Rule 60D-5.004, F.A.C.

PLANS AND SPECIFICATIONS/BID DOCUMENTS: All orders for Plans, Specifications, and Bid Documents must be submitted on the Departments Fax Request Form and is available by contacting Cindy Maluda in the District Contracts Office, 719 S. Woodland Boulevard, DeLand, Florida 32720, Phone (386)943-5523.

NOTE: Proposal documents will be issued at the mandatory pre-bid meeting, August 12, 2003. No proposal documents will be issued after that time. Bids must be submitted in full accordance with the requirements of the Plan Drawings, Specifications, Bidding Conditions and Contractual Conditions. Requirements for project noted above:

1. **MINORITY PROGRAM:** The Owner encourages the recruitment and utilization of certified and non-certified minority businesses. The Owner, its contractors, suppliers, and consultants should take all necessary and reasonable steps to ensure that minority businesses have an opportunity to compete for and perform contract work for the Owner in a nondiscriminatory environment.
2. **BID BOND:** If the bid on a project exceeds \$100,000, the bidder must provide with his bid, a good faith deposit in the amount of five percent of the bid. This may be accomplished by way of a bid bond from a surety insurer authorized to do business in this State as surety, a certified check made payable to Florida Department of Transportation, a cashier's check, treasurer's check or bank draft of any national or state bank. A bid bond, check or draft in an amount less than five per cent of the actual bid will invalidate the bid. Bid bonds shall conform to the (Exhibit) furnished with the proposal forms.
3. **PERFORMANCE AND LABOR AND MATERIAL PAYMENT BOND:** If the contract award amount exceeds \$100,000, a Performance Bond and Labor and Material Payment Bond for the full amount will be required.
4. **BID POSTING:** Unless otherwise notified in writing, the Summary of Bids and Notice of Intent will be posted on August 25, 2003. Posting may be viewed in The Main Lobby, DeLand District Office, 719 S. Woodland Boulevard, DeLand, Florida, Internet: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteria_form (In the "number" box, enter E5F83, click "Initiate Search") In the event that the Summary of Bids and Notice of Intent cannot be posted on this date, then all bidders will be notified by certified United States mail or express delivery, return receipt requested or by fax transmission, receipt acknowledged. Information concerning posting may be obtained by calling the District Contracts Office, (386)943-5523.
5. **BID SOLICITATION / AWARD / NON-AWARD PROTEST RIGHTS:** Any person adversely affected by this Bid Solicitation shall file a notice of protest within 72 hours of receipt of the bid documents. Any person adversely affected by the intended decision of the Department to award a contract or to reject all bids shall file a notice of protest within 72 hours after the posting of the Summary of Bids. If notice of intended decision is given by certified mail or express delivery, the adversely affected person must file the notice of protest within 72 hours after receipt of the notice of intent. A formal written protest must be filed within ten days after filing the notice of protest. The formal written protest shall state with

particularity the facts and law upon which the protest is based. All protests must be submitted in accordance with Section 120.57(3), Florida Statutes. The required notice of protest and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

The Department reserves the right to reject any or all bids.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

REGIONAL PLANNING COUNCILS

GILCHRIST COUNTY COMMUNITY TRANSPORTATION COORDINATOR

Request for Letters of Interest

The North Central Florida Regional Planning Council, is seeking letters of interest and statements of qualifications from agencies or firms interested in coordinating transportation services for the transportation disadvantaged in Gilchrist County, Florida. The selected contractor will be the designated Community Transportation Coordinator for Florida's Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2 of the Florida Administrative Code. Experience with eligibility-based transportation services is required.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, Florida Statutes as "those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities, or children who are handicapped or high-risk or at-risk as defined in s. 411.202, F.S."

Interested providers are required to provide proof of qualifications in the following areas: coordination experience, scheduling and routing software used by the organization and vehicle acquisition. Letters of interest and qualifications should be limited to four (4) pages.

Potential providers should submit their expression of interest and qualifications in a sealed envelope to: North Central Florida Regional Planning Council, ATTENTION: Charles F. Justice, Executive Director, 2009 N.W. 67 Place, Suite A, Gainesville, Florida 32653-1603. Letters must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR GILCHRIST COUNTY COMMUNITY TRANSPORTATION COORDINATOR." Letters of interest and qualifications must be received by 5:00 p.m. August 29, 2003.

Faxed and e-mailed responses will not be accepted. Late letters will be returned unopened with the notation, "This letter of interest was received after the delivery time designated for receipt and opening in the legal notice." Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator. The North Central Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

DIXIE COUNTY COMMUNITY TRANSPORTATION COORDINATOR

Request for Letters of Interest

The North Central Florida Regional Planning Council, is seeking letters of interest and statements of qualifications from agencies or firms interested in coordinating transportation services for the transportation disadvantaged in Dixie County, Florida. The selected contractor will be the designated Community Transportation Coordinator for Florida's Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2 of the Florida Administrative Code. Experience with eligibility-based transportation services is required.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in s. 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, Florida Statutes as "those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care,

employment, education, shopping, social activities, or other life sustaining activities, or children who are handicapped or high-risk or at-risk as defined in s. 411.202, F.S.”

Interested providers are required to provide proof of qualifications in the following areas: coordination experience, scheduling and routing software used by the organization and vehicle acquisition. Letters of interest and qualifications should be limited to four (4) pages.

Potential providers should submit their expression of interest and qualifications in a sealed envelope to: North Central Florida Regional Planning Council, ATTENTION: Charles F. Justice, Executive Director, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603. Letters must be marked, “LETTER OF INTEREST AND QUALIFICATIONS FOR DIXIE COUNTY COMMUNITY TRANSPORTATION COORDINATOR.” Letters of interest and qualifications must be received by 5:00 p.m. August 29, 2003.

Faxed and e-mailed responses will not be accepted. Late letters will be returned unopened with the notation, “This letter of interest was received after the delivery time designated for receipt and opening in the legal notice.” Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator. The North Central Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

REGIONAL TRANSPORTATION AUTHORITIES

INVITATION TO BID NO. 03-191 PURCHASE AND INSTALLATION

UNDERFLOOR WHEEL TRUING/PROFILING MACHINE
Tri-County Commuter Rail Authority (Tri-Rail), an Agency of the State of Florida, operates a SEVENTY-TWO (72) mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties.

THE PURPOSE of this contract is to purchase and install a Qualified STANRAY, or approved equal under floor wheel truing/profiling machine, including a car progression system and chip removal system in accordance with the Specifications. This installation will require the Contractor to demonstrate final functionality, operating accuracy and tolerance, within original equipment manufacturer (OEM) limits. This will also include all necessary, permits, design, construction, foundation, material, mechanical, electrical, air and plumbing components and all labor required to make the installed machine operational at the Tri-Rail maintenance facility in Hialeah on Track No. 2. Training and demonstration will also be required for operation and setup of this machine after installation for all types of rolling stock operating on the South Florida Rail Corridor (SFRC) and the Florida East Coast

Railroad (FECR). Five copies each of the Machine Maintenance, Operating and Parts manuals will also be required.

This machine will be capable of truing/reprofiling 33" wheels used in Tri-Rail's fleet of Bombardier Bi-Level Coaches and 40" EMD and GE Locomotive wheels without removal from the vehicle or removal of the outboard disc on the coach axle. It will also have hydraulic tie downs for truing a wheel set not under a locomotive or coach. The machine will also have to have the capability of truing locomotives and cars from the FECR, Amtrak and CSX.

A REQUEST FOR DOCUMENTS should be directed to Bryan Kohlberg at Tri-Rail, 800 N. W. 33rd Street, Suite 100, Pompano Beach, FL 33064, (954)788-7910. The cost of the solicitation documents is \$150.00, non-refundable. Checks or money orders, made in favor of Tri-Rail, should be forwarded to Bryan Kohlberg at the address above. Solicitation documents will be available on or about Monday, July 21, 2003.

A PRE-BID CONFERENCE will be held in Tri-Rail's Hialeah Rail Yard facility, 9400 N. W. 37 Avenue, Miami, Florida, on Wednesday, August 6, 2003, at 2:00 p.m. An on-site inspection of the construction area shall be given at the Pre-Bid Conference. The purpose of the on-site inspection will be for Tri-Rail to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is highly recommended.

REQUESTS FOR CLARIFICATION regarding specifications or bid documents must be submitted to Tri-Rail no less than ten (10) calendar days before the date for Initial Submittals.

RECEIPT OF SEALED BIDS: All Bids must be received in a sealed envelope no later than 4:00 p.m., Wednesday, September 3, 2003, at Tri-Rail's office at 800 N. W. 33rd Street, Suite 100, Pompano Beach, FL 33064. All envelopes must bear the Tri-Rail provided label which clearly indicates the BIDDER'S NAME, ITB NUMBER, TITLE, AND OPENING DATE.

BID SECURITY in the amount of five percent (5%) of the Bid must accompany each Bid in accordance with the Invitation To Bid.

Tri-Rail reserves the right to postpone, to accept, or reject any and all Bids in whole or in part. All Bidders must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All bids must remain in effect for One Hundred Eighty (180) days from the date of Bid openings.

DBE PARTICIPATION: The Disadvantaged Business Enterprise participation goal for this solicitation is twelve percent (12%).

TERM: The period of performance shall be effective from the date of the Notice To Proceed for a period of One Hundred Eighty (180) calendar days, followed by a One (1) year warranty period.

NOTICE OF FEDERAL PARTICIPATION: 100% of this project is funded by a grant from the Federal Transit Administration. Any resultant Agreement shall be subject to all federal rules and regulations.

METROPOLITAN PLANNING ORGANIZATIONS

REQUEST FOR PROPOSALS

“ANNUAL CONTRACT FOR TRANSPORTATION PLANNING CONSULTANT SERVICES”

LEE COUNTY METROPOLITAN PLANNING ORGANIZATION

Proposals for this service must be received by the Southwest Florida Regional Planning Council/Lee County Metropolitan Planning Organization (MPO), 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, by 5:00 p.m. (local time), Friday, August 22, 2003. Lee County MPO reserves the right to reject any or all proposals.

SCOPE OF SERVICES: The Lee County MPO is soliciting responses to this request for proposal, which is issued for the purpose of selecting one or more consulting firms to be retained under a two-year contract, with two one-year renewal options. The firms shall be responsible for knowledge of and compliance with all relevant local, state, and federal laws and regulations, and shall be capable of providing some or all of the types of transportation planning and engineering services described in the scope of services. The transportation planning work may include, but not be limited to, financial resource forecasting and revenue projections, public involvement, corridor and small area studies, goods movement studies, traffic engineering studies, ITS needs assessment, project cost estimation, land use modeling, GIS assistance, long range transit system planning and modeling, transit authority formation studies, and other miscellaneous studies as directed. Proposals must specify which of the services identified in the scope of services the firm or team is proposing to provide and which it is not.

INVITATION TO PROPOSE: The program hereby solicits proposals for selection as on-call consultant for planning services to the Lee County Metropolitan Planning Organization. Awards will be made to respondents whose proposals are deemed by the Program to be most beneficial, all factors considered.

REQUEST FOR PROPOSALS (RFP) INFORMATION AND INSTRUCTION:

(HOW TO APPLY): A Request for Proposals document may be obtained by contacting, in writing, Ms. Nicole Gwinnett, Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, fax (239)656-7724 or email: ngwinnett@swfrpc.org. Materials will be sent by regular mail to the requester within two business days. All requests for clarification or additional information on the RFP must be submitted in writing to same

by no later than 5:00 p.m. Friday, August 4, 2003. Proposals must then be received by the Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, by 5:00 p.m. (local time), Wednesday, August 22, 2003.

This public notice was posted in the lobby of the Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, on Friday July 18, 2003. The Southwest Florida Regional Planning Council and the Lee County Metropolitan Planning Organization do not discriminate based on age, race, color, sex, religion, national origin, disability or marital status. Qualified minority-owned, women-owned or disadvantaged business enterprises are encouraged to apply.

EXPRESSWAY AUTHORITIES

NOTICE TO PROFESSIONAL CONSULTANTS

The Orlando-Orange County Expressway Authority (Authority) requires the services of a consultant in connection with Construction Engineering and Inspection (CEI) services. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority, and who have been prequalified by FDOT to perform the indicated Types of Work.

TYPES OF WORK: Group 10.1, Roadway Construction Engineering and Inspection; Group 10.2, Major Bridge Construction Engineering Inspection; and Group 10.3, Construction Materials Inspection. Consultant must be prequalified in these work groups.

DESCRIPTION: The work consists of providing CEI services related to construction of SR 429 Part C Phase II from Seidel Road to CR 535 (Project Nos. 654, 653 and 656) for a distance of approximately 8.5 miles. Construction activities will include, but are not necessarily limited to, divided 4 lanes of new limited access roadway, new interchange with McKinney Road, completion of interchange with CR 535, local roadway construction for realigned McKinney Road and realigned CR 545, total of 22 new bridges at CR 545 (south), Old YMCA Road, Schofield Road, CR 545 (north), Porter Road, McKinney over SR 429, Conserv II, Malcolm Road over SR 429, Tiny Road, Tilden Road, Stoneybrook West Parkway, and CR 535.

Toll plaza work will include construction of a mainline toll plaza with express lanes to be located between Malcolm Road and Tiny Road within the Conserv II site, and two 2-lane ramp toll plazas at McKinney Road (to and from the south). The toll plaza contract will be design/build.

SUBMITTAL REQUIREMENTS: Interested consultants shall submit five (5) sets of a Letter of Interest package indicating their desire to be considered. The letter shall be no more than ten pages, exclusive of resumes and project experience list, and divided as follows:

- Section 1. Similar Project Experience: Provide CEI project experience on current/completed projects within the past 5 years. Indicate project name, location, services provided and accurate reference names with phone numbers. All references will be checked.
- Section 2. Project Approach: Provide a 5 page (maximum) narrative describing the firm's approach to delivering the CEI services; a proposed project organization chart including subconsultant personnel; a matrix summarizing proposed personnel experience on similar projects including registrations/certifications; detailed resumes identifying relevant experience on similar projects. Resumes shall include client/owner references for all proposed personnel for the past 5 years and availability date for each individual.
- Section 3. Certifications: Provide copies of FDOT certifications in the work groups identified above and Florida Department of Professional Regulation registration for prime consultant and subconsultants.
- Section 4. Current and Projected Workload: Indicate ability of staff to manage a CEI assignment and indicate, as a percentage, the current/projected workload of current staff. Indicate the total number of the firm's professional, technical and administrative personnel by discipline, location and office responsible for administering the contract.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, sex, national origin, age, religion and disability. The Authority hereby notifies all Proposers and individuals that it requires and encourages equal employment opportunity for minority and women as employees in the workforce.

MINORITY / WOMEN / DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: The Orlando-Orange County Expressway Authority hereby notifies all Proposers and individuals that it will require affirmative efforts be made to ensure participation of local minority and women business enterprises on contracts awarded by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

LETTER OF RESPONSE DEADLINE: August 8, 2003, 12:00 noon, Orlando local time.

SELECTION/NEGOTIATIONS: Shortlisted firms will be notified as to the date and time that each will be required to provide a technical proposal and constructability review and the time and date of oral presentations to the Authority's Selection Committee.

AUTHORITY CONTACT PERSON:

Ben Dreiling, P.E.
 Director of Construction and Maintenance
 Telephone: (407)316-3800
 Fax: (407)316-3801

LETTER OF RESPONSE ADDRESS:

Orlando-Orange County Expressway Authority
 525 S. Magnolia Avenue
 Orlando, FL 32801
 Re: CEI Services
 Project Nos. 653, 654 and 656

REQUEST FOR LETTERS OF INTEREST

The Tampa-Hillsborough County Expressway Authority (THCEA) requests Letters of Interest from qualified firms permitted by law to perform professional architectural services for the Authority's Transportation Management Center (TMC) project. Qualification submittals shall include the following information:

- A. Cover Page:
 - The following notation: "Letter of Interest for Transportation Management Center Architectural Design" Project #53.31.02
 - Consultant's name and address
 - Contact person, phone and fax numbers, Email address
- B. Cover Letter: (2 page maximum)
 - Statement of Qualifications
- C. Organizational Chart / Personnel Summary: (2 page maximum)
 - Identification of team participants (including subconsultants)
 - Identification of key personnel and project roles
 - Organizational Chart
- D. List of Representative – Recent Projects and References: (10 page maximum)
 - Descriptions of representative projects (designed or completed within the last five (5) years) should include drawings and/or photographs, building size, and types and costs of construction
 - References should identify clients (public and private) and contacts within those organizations
- E. Resumes of Key Personnel: (maximum of 1 page each)

- An original and twelve copies of the Letter of Interest and Qualifications must be received by mail or hand delivery by 12:00 noon, on August 1, 2003 (subject to any extension of the deadline as provided for in this RFQ). Submittals received after that time, or extended deadline, will not be accepted. Address responses to: Contracts Administrator, Tampa-Hillsborough County Expressway Authority, 412 East Madison Street, Suite 800, Tampa, FL 33602.

CONTRACT: THCEA Project #53.31.02

Transportation Management Center Architectural Design

DESCRIPTION: The Transportation Management Center Architectural Design will include site and building designs for a TMC building to house a combined Authority and City of Tampa traffic control room and support facilities, administrative offices, board room, and support facilities for the Authority, and administrative offices for City of Tampa traffic management to be located on the northeast corner of the Authority's Meridian Gateway at Twiggs Street. The building will be approximately 22,500 square feet in size and has a nominal budget of \$3,000,000.

SPECIAL NOTES: In accordance with the requirements of Section 287.055, F.S., firms will be short-listed based on the demonstrated architectural design experience with similar projects, and identified resources to furnish the required services.. The short-listed firms will then be invited to a professional interview with the Authority's Technical Review Committee. Recommendations from that committee will be provided to the Authority Board for final selection.

The Authority has a policy of nondiscrimination on the basis of race, color, gender, and national origin in its employment and contracting practices, and shall require that all firms contracting with the Authority have or adopt a similar non-discrimination policy.

Following dates are subject to change. Contact the Contract Services Administrator for updated information:

RESPONSE DEADLINE: August 1, 2003, 12:00 Noon

PLANNED SHORT-LIST DATE: August 12, 2003 (exact time TBD)

PLANNED INTERVIEW DATES: August 15-22, 2003 (exact date(s) TBD)

PLANNED FINAL SELECTION DATE: August 25, 2003, 3:00 p.m.

FLORIDA SPACE AUTHORITY

REQUEST FOR PROPOSALS

The Florida Space Authority (the "Authority") is soliciting proposals from design and build firms to provide general contractor services for various renovation and small construction projects. This will be a Task Order Contract.

There is no guarantee that task orders will be issued and no minimum dollar amount has been established. Projects will be awarded based upon availability of funding.

Contractors desiring to provide such services should request a copy of "Request for Proposals for General Contractor Services". This RFP outlines the scope of service. General and specific conditions will be outlined on a per project basis. All proposals submitted must be prepared in accordance with the RFP.

The RFP will be available on July 21, 2003. Requests for copies of the RFP should be addressed to: Ms. JoAnne Owler, Manager – Contracts and Facilities, Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003, telephone (321)730-5301, Ext. 1122. The RFP can also be accessed via the Authority's website at <http://floridaspaceauthority.com> under "Solicitations/Bids". Questions should be addressed to Ms. Owler any time during business hours at the Authority. Responses to the RFP must be received by 12:00 noon, Eastern Time Zone, August 8, 2003 at the address provided in the RFP. The Authority reserves the right to reject any and all proposals received.

Request for Information

For Anticipate Short-term Commercial Office and Laboratory Space for Future Tenants of the International Space Research Park By the Florida Space Authority and/or Commercial Customers

The Florida Space Authority (FSA) is seeking expressions of interest and descriptions of office and laboratory space for short-term lease, one to three years, for the future tenants of the International Space Research Park (ISRP). The need is for multiple tenants with requirements from 5,000 to 25,000 square feet. Facilities can be submitted for any size, however; 40,000 to 80,000 square feet is optimal. The facilities should be located in Central and North Brevard County and reasonably close to the Kennedy Space Center. The facilities should be Class A or as a near to that standard as possible. These tenants will be developing their own facilities at the ISRP and will need temporary facilities during construction. For information regarding the ISRP to you can visit the ISRP website at <http://researchpark.ksc.nasa.gov>.

The expression should include a full description of the facilities and costs for lease and/or purchase. The outline of requirement is posted on the FSA's website: <http://www.floridaspaceauthority.com/notices.html>

FSA was established by Florida Law to support the retention, expansion and diversification of the state's space-related industry.

Interested persons should submit three (3) copies of their response for request for information in a sealed envelope entitled "RESPONSE TO RFI FOR COMMERCIAL OFFICE AND LABORATORY SPACE" to: Ms. JoAnne Owler, Manager – Contracts and Facilities, Florida Space Authority,

100 Spaceport Way, Cape Canaveral, FL 32920-4003. While there is no close date for this request, the Authority recommends responses be submitted as soon as possible with a suggested date of no later than August 15, 2003. Questions should be addressed to Tim Franta, (321)730-5301, Extension 1212.

The FLORIDA SPACE AUTHORITY reserves the right to accept or reject any and all responses in the best interest of the State.

DEPARTMENT OF ELDER AFFAIRS

Notice of Request for Proposal
Bidders Conference

Contingent upon the availability of funds, the Area Agency on Aging for Planning and Service Area 5 (Pasco and Pinellas Counties), will be contracting and is soliciting sealed proposals for services for the period January 1, 2004 – December 31, 2004. Services are to be provided to persons 60+ years of age and older. Proposals are solicited for Emergency Alert Response in Pasco and Pinellas Counties. Specifications for proposals may be obtained at the bidder’s conference on:

August 15, 2003
Area Agency on Agency
Conference Room
1:30 p.m. – 3:00 p.m.
9887 4th Street, North
St. Petersburg, FL 33702

or from Sally D. Gronda at the Area Agency on Aging office beginning August 5th. Letters of Intent to submit a proposal are due on August 18, 2003. Sealed proposals are due by 3:00 p.m., on September 9, 2003 with openings immediately following. The Area Agency on Aging reserves the right to reject any and all proposals not complying with specifications and requested information.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
ROOFING SERVICES

FOR CONTINUING AREA CONTRACTS AREA 2

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction (“Division”) requests qualifications from roofing consulting firms to provide services in Area 2, counties of Dixie Franklin, Gadsden, Hamilton, Jefferson, Lafayette, Leon, Liberty, Madison, Suwanne, Taylor, Wakulla, and other counties as may be determined necessary by the owner.

For details please visit the Department’s website listed below and click on “Search Advertisements – Division of Facilities Management and Building Construction.”
http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Request for Public Comments on Florida’s WIC Program

The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients’ needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida.

If you have any comments or suggestions, please direct them to Cheryl Miller, Department of Health, WIC and Nutrition Services, Bin #A16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726 or by Fax (850)922-3936. Your feedback is essential and is appreciated before August 8, 2003. WIC is an equal opportunity provider.

**GAINESVILLE-ALACHUA COUNTY REGIONAL
AIRPORT AUTHORITY**

Request for Proposals – RFP # 03-003

For the Management of the Airport Authority’s Fuel Farm
The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed proposals for the Management of the Airport Authority’s Fuel Farm. The proposal documents will be available beginning July 7, 2003 at the Gainesville Regional Airport’s Administration office, 3880 N. E. 39th Avenue, Gainesville, Florida 32609.

The scope of the project includes: Retaining the services of a fuel farm manager experienced in performing Jet-A and 100LL quality control checks, receiving over-the-road fuel trucks, and loading aircraft fueling vehicles. The Proposer must demonstrate substantial involvement in the management of fuel farms, which includes at least three years of actual practice of fuel farm management. Knowledge of the laws and regulations related to fuel truck and fuel farm operations is required. The duties and responsibilities of the fuel farm manager are outlined in the RFP document.

All proposals submitted shall be effective for 90 days. Proposals must be signed by an authorized official, enclosed in a sealed envelope or package and mailed or delivered to Director of Aviation, Gainesville Regional Airport, 3880 N. E.

39th Avenue, Suite A, Gainesville, Florida 32609. Proposals received after 3:00 p.m., August 20, 2003 will not be considered.

GACRAA reserves the right to reject any or all proposals received in response to this Request for Proposals as determined to be in the best interest of the Airport.

For additional information, contact: Rick Crider, (352)373-0249.

CITY OF ARCADIA

REQUEST FOR PROPOSALS

The City of Arcadia, Florida, is accepting proposals from qualified professional program development providers to administer a comprehensive federal, state, and institutional grant/loan identifying and application program for the City of Arcadia. Depending on qualifications, consulting service contracts may be entered into with one or more providers to address specific or general grant/loan funding opportunities, and grant/loan administration from identification to closeout. Proposals must be submitted no later than August 8, 2003, at 2:00 p.m. Eastern Standard Time. Submit nine copies of proposals in a sealed envelope to: Edward J. Strube, City Administrator, City of Arcadia, P. O. Box 351, Arcadia, FL 34265. Call (863)494 4114 for more information and to request a copy of the proposal specifications.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.3177(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 11-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Collier County and the Collier County School Board, pursuant to Section 163.3177, F.S., to be consistent with the minimum requirements of Sections 163.3177(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Collier County Government, Planning Services Department, 2800 North Horseshoe Drive, Naples, Florida 34104.

Any affected person, as defined in Section 163.3177(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.3177(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly,

and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Collier County and the Collier County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

Charles Gauthier, AICP
Acting Division Director
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

**NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.3177(2) AND (3),
FLORIDA STATUTES
DCA DOCKET NO. 08-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Charlotte County, Punta Gorda and the Charlotte County School Board, pursuant to Section 163.3177, F.S., to be consistent with the minimum requirements of Sections 163.3177(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Charlotte County, Community Development Department, Planning and Zoning Division, Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida 33948-1094.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Charlotte County, Punta Gorda and the Charlotte County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

Charles Gauthier, AICP
Acting Division Director
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 58-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Sarasota County, Longboat Key, North Port, Sarasota City, Venice and the Sarasota County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the School Board of Sarasota County, 1960 Landings Boulevard, Sarasota, Florida 34231.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Sarasota County, Longboat Key, North Port, Sarasota City, Venice and the Sarasota County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not

available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

Charles Gauthier, AICP
Acting Division Director
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-0904-001
DATE RECEIVED: July 7, 2003
DEVELOPMENT NAME: SOUTHGATE PLAZA
DEVELOPER/AGENT: Southgate Plaza/
DEVELOPMENT TYPE: 28-24.031, F.A.C.
LOCAL GOVERNMENT: Sarasota County

DCA Final Order No.: DCA03-OR-195
In re: CITY OF MARATHON LAND DEVELOPMENT REGULATIONS
ADOPTED BY ORDINANCE NO. 2003-08

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.

2. On May 20, 2003, the Department received for review City of Marathon Ordinance No. 2003-08 which was adopted by the City of Marathon Board of City Commissioners on May 13, 2003 ("Ord. 2003-08"). Ord. 2003-08 amends Section 9.5-243 of Chapter 9.5: Tourist Housing and Vacation Rental Uses, of the City of Marathon Code, by adding a definition of destination resort hotel rooms, establishing maximum square footage of rooms, providing that employee housing may be on site or off site, providing a definition of employee housing "dormitory," establishing the ROGO allocation required for an

employee housing dormitory, and correcting a scrivener's error in the requirement related to destination resort hotel or motel shuttle transport services.

3. Ord. 2003-08 is consistent with the City's 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002).

5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2002). The regulations adopted by Ord. 2003-08 are land development regulations.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

8. Ord. 2003-08 promotes and furthers the following Principles:

(b) To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.

(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

(j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.

9. Ord. 2003-008 is inconsistent with Principle K; however, if the application of this concept is limited to the existing Destination Resort Districts in Marathon, then the increased impacts to hurricane evacuation will be negligible.

Ord. 2003-08 is not inconsistent with the remaining Principles. Ord. 2003-08 is consistent with the Principles for Guiding Development construed as a whole.

WHEREFORE, IT IS ORDERED that Ord. 2003-08 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Charles Gauthier, Acting Director
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA

ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of July, 2003.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable John Bartus, Mayor
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Katherine V. Selchan, City Clerk
City of Marathon
210 University Drive
Coral Springs, Florida 33071

Scott Janke
City Manager
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

John R. Herin, Jr.
Weiss, Serota, Helfman, Pastoriza and Guedes, P.A.
City Attorneys
City of Marathon
2665 South Bayshore Drive, Suite 420
Miami, Florida 33133

By Hand Delivery or Interagency Mail:
Jim Quinn, DCA Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Craig Varn, Assistant General Counsel, DCA Tallahassee

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Healthcare Administration has received an application for services exemption from Palmetto General Hospital, Miami, Florida pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The service category for which the exemption is requested is otorhinolaryngology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone (850)487-2717 or by e-mailing: Julio Gonzalez, Hospital and Outpatient Services Unit, gonzalezj@fdhc.state.fl.us

The Agency for Healthcare Administration has received an application for services exemption from Lawnwood Regional Medical Center, Ft. Pierce, Florida pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The services categories which the exemptions are requested are: Neurology, plastic surgery, ophthalmology, and oral/maxillo-facial surgery, thoracic services, and pediatric intensive care services. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone (850)487-2717 or by e-mailing: Sonya Longfellow, Hospital and Outpatient Services Unit, longfels@fdhc.state.fl.us

The Agency for Healthcare Administration has received an application for services exemption from Saint Lucie Medical Center, Port St. Lucie, Florida pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The services categories which the exemptions are requested are: Neurology, plastic surgery, ophthalmology, and oral/maxillo-facial surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone (850)487-2717 or by e-mailing: Sonya Longfellow, Hospital and Outpatient Services Unit, longfels@fdhc.state.fl.us

CERTIFICATE OF NEED
EXEMPTIONS

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Palm Beach District: 9
ID #: 0200049 Decision: A Issue Date: 6/23/2003

Facility/Project: Jupiter Medical Center.

Applicant: Jupiter Medical Center, Inc.

Project Description: Temporarily add 12 acute care beds

Proposed Project Cost: \$0

County: Sarasota District: 8
ID #: 0200051 Decision: A Issue Date: 6/19/2003

Facility/Project: Pines of Sarasota

Applicant: Sarasota Welfare Home, Inc.

Project Description: Replace the 204-bed nursing home on the same site in three phases.

Proposed Project Cost: \$15,000,000

CERTIFICATE OF NEED
NOTICE OF WITHDRAWAL

The Agency for Health Care Administration hereby notices withdrawal from review of the following Certificate of Need applications:

County: Nassau Service District: 4
CON #: 9680 Decision Date: 7/2/2003 Decision: W

Facility/Project: Amelia Island Care Center

Applicant: GF/Amelia Island Properties, Inc.

Project Description: Construct a 24-bed ICF/DD in a cluster of three eight-bed units

County: Nassau Service District: 4
CON #: 9681 Decision Date: 7/2/2003 Decision: W

Facility/Project: Amelia Island Care Center

Applicant: GF/Amelia Island Properties, Inc.

Project Description: Construct a 24-bed ICF/DD in a cluster of three eight-bed units

County: Nassau Service District: 4
CON #: 9682 Decision Date: 7/2/2003 Decision: W

Facility/Project: Amelia Island Care Center

Applicant: GF/Amelia Island Properties, Inc.

Project Description: Construct a 24-bed ICF/DD in a cluster of three eight-bed units

County: Pinellas Service District: 5
CON #: 9687 Decision Date: 7/3/2003 Decision: W
Facility/Project: St. Anthony's Hospital
Applicant: St. Anthony's Hospital, Inc.
Project Description: Establish an adult open heart surgery program

County: Pinellas Service District: 5
CON #: 9688 Decision Date: 7/3/2003 Decision: W
Facility/Project: Helen Ellis Memorial Hospital
Applicant: Tarpon Springs Hospital Foundation
Project Description: Establish an adult open heart surgery program

A request for administrative hearing, if any, must be made in writing and must be actually received by the Agency within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

CERTIFICATE OF NEED
DECISIONS ON BATCHED APPLICATIONS

The Agency For Health Care Administration made the following decisions on Certificate of Need applications for nursing home cycle with an application due date of July 2, 2003:

County: Manatee Service District: 6
CON #: 9689 Decision Date: 7/3/2003 Decision: A

Facility/Project: Westminster Towers

Applicant: Presbyterian Retirement Communities, Inc.

Project Description: Add 21 skilled nursing beds through the delicensure of 21 skilled nursing beds at The Shore of Bradenton and conversion of 21 sheltered nursing home beds at Westminster Towers.

Approved Cost: \$11,090

A request for an administrative hearing, if any, must be made in writing and must be actually received by the department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

On July 3, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Zandrina Alesander, M.D., license number ME 51135. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8), and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The Brevard County Legislative Delegation is seeking resumes from Brevard County residents who are interested in serving on the Board of the Technological Research and Development Authority (TRDA). The TRDA currently has four positions open on its Board of Directors.

The TRDA is governed by a non-paid, five-member board appointed by the Governor. The agency was created in 1987 by the Florida Legislature "for the purpose of promoting scientific research and development for the purpose of fostering higher education, which relates to the economic development of Brevard County as a center for high technology and scientific research and development."

A meeting of the Brevard Legislative Delegation is currently being planned for late August to select nominees for consideration by the Governor. Brevard residents interested in serving on the TRDA Board should e-mail their resume to the Brevard Legislative Delegation Coordinator at carol.laymance@countygovt.brevard.fl.us or mail to Carol Laymance, Legislative Delegation Coordinator, 2725 Judge Fran Jamieson Way, Building C, Viera, Florida 32940. You may also fax your resume to Ms. Laymance, (321)633-2132.

Anyone having questions about the TRDA should contact Mr. Frank Kinney, Executive Director, fkinney@trda.org or (321)269-6330, Extension 248.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN June 30, 2003
 and July 3, 2003**

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

DEPARTMENT OF EDUCATION
State Board of Education

| | | | | |
|------------|--------|---------|-------|--|
| 6A-4.0021 | 7/1/03 | 7/21/03 | 29/20 | |
| 6A-4.00821 | 7/1/03 | 7/21/03 | 29/20 | |

DEPARTMENT OF CITRUS

| | | | | |
|----------|--------|---------|-------|--|
| 20-9.002 | 7/3/03 | 7/23/03 | 29/20 | |
|----------|--------|---------|-------|--|

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District

| | | | | |
|-----------|--------|---------|-------|--|
| 40D-4.091 | 7/2/03 | 7/22/03 | 29/22 | |
| 40D-4.351 | 7/2/03 | 7/22/03 | 29/18 | |

South Florida Water Management District

| | | | | |
|------------|--------|---------|-------|--|
| 40E-7.203 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.206 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.2081 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.2091 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.2101 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.2111 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.2121 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.213 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.637 | 7/1/03 | 7/21/03 | 29/17 | |
| 40E-7.664 | 7/1/03 | 7/21/03 | 29/17 | |

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

| | | | | |
|-----------|--------|---------|-------|--|
| 61-20.508 | 7/1/03 | 7/21/03 | 29/22 | |
|-----------|--------|---------|-------|--|

Board of Veterinary Medicine

| | | | | |
|--------------|---------|---------|-------|--|
| 61G18-30.001 | 6/30/03 | 7/20/03 | 29/14 | |
|--------------|---------|---------|-------|--|

Board of Accountancy

| | | | | |
|-------------|--------|---------|-------|--|
| 61H1-33.007 | 7/3/03 | 7/23/03 | 29/21 | |
|-------------|--------|---------|-------|--|

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

DEPARTMENT OF HEALTH
Division of Medical Quality Assurance Boards

| | | | | |
|-----------|---------|---------|-------|-------|
| 64B-1.001 | 6/30/03 | 7/20/03 | 28/52 | |
| 64B-1.002 | 6/30/03 | 7/20/03 | 28/52 | 29/23 |
| 64B-1.003 | 6/30/03 | 7/20/03 | 28/52 | |
| 64B-1.004 | 6/30/03 | 7/20/03 | 28/52 | |
| 64B-1.005 | 6/30/03 | 7/20/03 | 28/52 | |
| 64B-1.006 | 6/30/03 | 7/20/03 | 28/52 | |
| 64B-1.007 | 6/30/03 | 7/20/03 | 28/52 | 29/23 |
| 64B-1.008 | 6/30/03 | 7/20/03 | 28/52 | 29/23 |
| 64B-1.009 | 6/30/03 | 7/20/03 | 28/52 | 29/23 |
| 64B-1.010 | 6/30/03 | 7/20/03 | 28/52 | |
| 64B-1.011 | 6/30/03 | 7/20/03 | 28/52 | |
| 64B-1.013 | 6/30/03 | 7/20/03 | 28/52 | 29/23 |
| 64B-1.016 | 6/30/03 | 7/20/03 | 28/52 | 29/23 |
| 64B-1.017 | 6/30/03 | 7/20/03 | 28/52 | 29/23 |

Council of Licensed Midwifery

| | | | | |
|-------------|--------|---------|-------|--|
| 64B24-7.007 | 7/1/03 | 7/21/03 | 29/16 | |
| 64B24-7.008 | 7/1/03 | 7/21/03 | 29/16 | |

FLORIDA HOUSING FINANCE CORPORATION

| | | | | |
|------------|--------|---------|-------|-------|
| 67-38.002 | 7/1/03 | 7/21/03 | 29/12 | 29/22 |
| 67-38.0025 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.003 | 7/1/03 | 7/21/03 | 29/12 | 29/22 |
| 67-38.004 | 7/1/03 | 7/21/03 | 29/12 | 29/22 |
| 67-38.005 | 7/1/03 | 7/21/03 | 29/12 | 29/22 |
| 67-38.007 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.008 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.010 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.011 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.012 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.014 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.0145 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.015 | 7/1/03 | 7/21/03 | 29/12 | |
| 67-38.017 | 7/1/03 | 7/21/03 | 29/12 | |