

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Voting System Equipment Regulations

RULE NO.: 1S-5.001

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is update the current rule that establishes minimum standards for hardware and software for electronic and electromechanical voting systems pursuant to Section 101.015(2), Florida Statutes. Topics to be discussed include XML standards, consistency of the FVSS with the Federal Elections Commission's voting system standards, accessibility requirements, and others.

SUBJECT AREA TO BE DISCUSSED: Florida Voting Systems Standards.

SPECIFIC AUTHORITY: 101.015 FS.

LAW IMPLEMENTED: 101.015 FS.

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

TIME AND DATE: 9:00 a.m. – 5:00 p.m., August 14, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Paul Craft, Division of Elections, 107 West Gaines Street, Room 231, Tallahassee, Florida 32399-0250, pcraft@dos.state.fl.us, (850)245-6220

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Paul Craft, (850)245-6220, at least three days in advance of the meeting.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Implementation of Florida's System of

RULE NO.: 6A-1.09981

School Improvement and Accountability

PURPOSE AND EFFECT: The purpose of this rule development is to make revisions to Florida's System of School Improvement and Accountability. The anticipated revision would improve the alignment of Florida's system with the requirements of the U.S. No Child Left Behind Act of 2001 and raise the expected performance levels for schools. To be included for review in the rule development process is the modification of the school performance grading procedures, criteria, grading scale and participation requirements, and the recognition, assistance, and intervention requirements for schools in various grade categories. The effect of this rule development is that modified criteria will be utilized to generate the School Performance Grades in 2004.

SUBJECT AREA TO BE ADDRESSED: Florida's System of School Improvement and Accountability – School Performance Grades.

SPECIFIC AUTHORITY: 1008.34 FS.

LAW IMPLEMENTED: 1008.34 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 11:00 a.m. – 3:30 p.m., August 11, 2003

PLACE: 325 West Gaines Street, Room 1703/07, Tallahassee, Florida

TIME AND DATE: 12:30 p.m. – 3:30 p.m., August 13, 2003

PLACE: Community Technical and Adult Center, 1014 S. W. 7th Road, Ocala, Florida

TIME AND DATE: 12:30 p.m. – 3:30 p.m., August 15, 2003

PLACE: Broward Community College Library, Room 146, 3501 S. W. Davie Road, Ft. Lauderdale, Florida

Requests for the rule development workshop should be addressed to Larry D. Wood, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. Cornelia Orr, Director of Assessment and School Performance, Accountability, Research, and Measurement, Department of Education, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Application Information

RULE NO.: 6A-4.0012

PURPOSE AND EFFECT: The purpose of the rule development is to establish that school districts are authorized to process certification applications for subject additions, changes in name, and duplicate certificates in addition to certificate renewals. The fee process is established pursuant to the requirements of Section 1012.586, Florida Statutes, enacted during the Special Session A 2003. The effect is a rule that is updated to include complete certification application processes and services.

SUBJECT AREA TO BE ADDRESSED: The educator certification application process.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS.

LAW IMPLEMENTED: 943.059, 1012.32, 1012.54, 1012.56, 1012.586, 1012.59 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.

Requests for the rule development workshop should be addressed to: Larry D. Wood, Agency Clerk, Department of Education, Room 1514, Turlington Building, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Beverly Gregory, Chief, Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Room 203, Tallahassee, Florida 32399-0400, (850)245-0431

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-4.0012 Application Information.

(1) Application process. To apply for a Florida Educator's Certificate, an individual shall submit to the Bureau of Educator Certification the following:

(a) A completed Form CG-10 and a nonrefundable application fee. Form CG-10, Application for Florida Educator's Certificate, effective September 2001, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is prescribed below:

1. Request for a professional certificate – \$56.00,
2. Request for a temporary certificate – \$56.00,
- ~~3. Request for a part-time certificate – \$56.00,~~
- ~~3.4.~~ Request for an addition of a coverage or endorsement to a valid certificate – \$56.00,
- ~~4.5.~~ Request for a name change only – \$20.00,
- ~~5.6.~~ Request for a duplicate certificate/subject deletion – \$20.00; or

(b) A completed Form CG-10R and a nonrefundable application fee. Form CG-10R, Application for Renewal or Reinstatement of a Professional Florida Educator's Certificate effective September 2001, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is \$56.00. An application for renewal of a professional certificate that is received by the Bureau of Educator Certification or by a district school board

office after the expiration of the professional certificate as specified in Rule 6A-4.0051, F.A.C., shall be submitted with a \$30.00 late fee in addition to the nonrefundable application fee.

(2) College transcripts. Each college transcript filed for certification purposes shall bear the seal of the institution and the signature of the registrar or other official designated by the president of the institution and shall include descriptive titles, credits, and grades for all courses listed. Transcripts from institutions outside the United States shall include an English translation. Transcripts shall not be returned after the application has been processed and the applicant has been advised regarding eligibility for certification.

(3) Completed applications.

(a) A completed application shall consist of the completed application form, fee, official transcripts, and other documents required by rule or law to process the application. The applicant shall be advised of additional information that is required to complete the application.

(b) If the information required to complete the application has not been received in the Bureau of Educator Certification, Florida Department of Education, or in the district school board office within twelve (12) months from the date of receipt of the application, the application shall expire and the fee shall be forfeited.

(4) Funding for the recovery network program for educators. Two (2) dollars of each fifty-six (56) dollar certification fee shall be designated to fund the recovery network program for educators.

(5) Each district school board office shall issue certificates for employees of the school district as follows:

(a) An application for renewal of a professional certificate,

(b) An application for an addition of a subject to a valid professional certificate based upon a passing score earned after July 1, 2002, on the bachelor's degree level Florida subject area test,

(c) An application for an addition of an endorsement area to a valid certificate based on the completion of approved inservice core components or a district add-on endorsement program,

(d) An application for a certificate issued solely to reflect a change in name, and

(e) An application for a duplicate of a valid certificate.

(6) The employing school district shall remit on a monthly basis to the Department of Education twenty (20) dollars of each fifty-six (56) dollar fee and seven (7) dollars of each twenty (20) dollar fee collected for the issuance of certificates for costs to maintain the technology system, web-based application, and the printing and mailing of certificates.

Specific Authority 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 229.053(1), 231.15(1), 231.17(11), 231.30 FS. Law Implemented 943.0585, 943.059, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 231.02, 231.145, 231.15, 231.17, 231.263(12), 231.30 FS. History—New 7-6-82, Amended 9-27-83, Formerly 6A-4.012, Amended 12-25-86, 10-26-88, 5-2-90, 4-24-91, 7-7-92, 5-3-94, 7-18-95, 9-17-01, _____.

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."

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Application
RULE NO.: 19B-4.001

PURPOSE AND EFFECT: To clarify that the Board will accept applications for advance payment contracts purchased through the Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs and by purchasers pursuant to a court order at any time, and to provide that other applications received by the Board outside the annual application period will be processed for data collection and administrative purposes, but will not be accepted until the beginning of the next succeeding annual open enrollment period, and that the contract prices for those other applications received outside the annual open enrollment period will be the contract prices applicable to advance payment contracts for the next succeeding annual application period.

SUBJECT AREA TO BE ADDRESSED: Applications for the Florida Prepaid College Program that are received outside the annual application period set by the Board and the contract prices applicable to them.

SPECIFIC AUTHORITY: 1009.971(1),(4),(6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

TIME AND DATE: 2:00 p.m., August 11 2003

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

(1) Rule Chapters 19B-4 through 19B-13 and 19B-15, F.A.C., apply to purchasers of advance payment contracts for the prepayment of postsecondary registration, local fees and/or dormitory residency fees under the Florida Prepaid College Program, the "Program". The application period shall

commence and terminate on dates set annually by the Board and published in the Florida Administrative Weekly. Applications for advance payment contracts purchased through the Board's direct support organization, The Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs or by purchasers pursuant to a court order will be accepted by ~~may be submitted to~~ the Board at any time. Other applications for advance payment contracts submitted to the Board outside the annual application period will be processed for data collection and administrative purposes, but will not be accepted by the Board until the beginning of the next succeeding annual application period. The contract prices associated with applications submitted to the Board outside the annual application period, except for those purchased through the Board's direct support organization, The Florida Prepaid College Foundation, Inc., for purchasers participating in employer participation programs or by purchasers pursuant to a court order, shall be the contract prices applicable to advance payment contracts for the next succeeding annual application period. After acceptance by the Board of the purchaser's application, a participation and payment schedule shall be mailed to the purchaser. The advance payment contract shall be composed of the application, master covenant, and participation and payment schedule.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2002-1, is hereby incorporated by reference and may be obtained by calling 1(800)552-GRAD (4723) (prompt 1). The effective date of the form is October 21, 2002. The Florida Prepaid College Plan Program Master Covenant, Form No. FPCB 2002-2 is hereby incorporated by reference with an effective date of October 21, 2002.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.98 FS. History—New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-7-01, 10-9-01, 11-27-02, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLES: Mental Health Services – Definitions 33-404.103
Operation, Administration and Designation of Mental Health Treatment Facilities 33-404.201

Mental Health Treatment Facilities – Definitions 33-404.202
PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to designate additional institutions as mental health treatment facilities in accordance with Section 945.42, F.S.

SUBJECT AREA TO BE ADDRESSED: Mental health treatment facilities.

SPECIFIC AUTHORITY: 944.09, 945.081, 945.42, 945.49 FS.

LAW IMPLEMENTED: 944.09, 945.081, 945.41, 945.42, 945.49 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:

33-404.103 Mental Health Services – Definitions.

(1) through (7) No change.

(8) “Mental Health Treatment Facility” means the Corrections Mental Health Institution and any other institution that an inpatient facility, as defined by Sections 33-404.201-404.210, Florida Administrative Code, for the treatment of inmates with a diagnosed mental illness that the Assistant Secretary for Health Services of the Department specifically designates by Rule 33-404.201, F.A.C., to provide acute psychiatric care at the hospital level, in contrast to less intensive levels of care such as outpatient mental health care, transitional mental health care, or crisis stabilization care. The secretary has designated the Corrections Mental Health Institution as the mental health treatment facility.

(9) through (14) No change.

Specific Authority 944.09, 945.42, 945.49 FS. Law Implemented 944.09, 945.42, 945.49 FS. History–New 5-27-97, Formerly 33-40.003, Amended.

33-404.201 Operation, Administration, and Designation of Mental Health Treatment Facilities.

(1) The Department is responsible for the operation and administration of the Corrections Mental Health Institution which was established to provide for the treatment of inmates who have a mental illness requiring intensive psychiatric inpatient treatment at the hospital level. Since the Corrections Mental Health Institution may house both male and female inmates, security procedures shall be implemented governing inmate movement and control to prevent the co-mingling of male and female inmates.

(2) The ~~Secretary or~~ Assistant Secretary for Health Services has may also designated other institutions to serve as mental health treatment facilities at the following institutions:

(a) Union Correctional Institution;

(b) Lake Correctional Institution;

(c) Zephyrhills Correctional Institution;

(d) South Florida Reception Center;

(e) Dade Correctional Institution;

(f) Broward Correctional Institution; and

(g) Lowell Correctional Institution.

(3) The rules of the Department of Corrections shall be applicable to all Corrections Mental Health Treatment Facilities established by the department, except as modified by this chapter.

Specific Authority 944.09, 945.081, 945.42, 945.49 FS. Law Implemented 944.09, 945.081, 945.41, 945.42, 945.49 FS. History–New 11-3-85, Formerly 33-23.01, Amended 10-9-96, Formerly 33-23.001, Amended.

33-404.202 Mental Health Treatment Facilities – Definitions.

For purposes of this rule, the following additional definitions shall apply:

(1) “Mental Health Treatment Facility.” Pursuant to Section 945.42(7), F.S., means the Assistant Secretary for Health Services has designated the Corrections Mental Health Institution and any other institution that the Assistant Secretary for Health Services of the department specifically designates by Rule 33-404.201, F.A.C., to provide acute psychiatric care at the hospital level for inmates requiring intensive psychiatric inpatient care and treatment, in contrast to less intensive levels of care such as outpatient mental health care, transitional mental health care, or crisis stabilization care.

(2) through (8) No change.

Specific Authority 944.09, 945.42, 945.49 FS. Law Implemented 20.315, 944.09, 945.42, 945.49 FS. History–New 11-3-85, Formerly 33-23.03, Amended 10-9-96, 3-24-97, 8-13-97, Formerly 33-23.003, Amended.

COMMISSION ON ETHICS

RULE TITLE:

RULE NO.:

List of Forms and Instructions

34-7.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to revise CE Forms 1, 6, 1F, 6F and 6X, which are adopted by reference in Rule 34-7.010, F.A.C.

SUBJECT AREA TO BE ADDRESSED: CE Forms 1, 6, 1F, 6F and 6X.

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 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 13, 2003

PLACE: Commission on Ethics Conference Room, 3600 Maclay Boulevard South, Suite 201, Tallahassee, FL 32312

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julia Cobb Costas, Senior Attorney, Commission on Ethics

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Section 112.3145(2) and (3), Florida Statutes. Effective 1/2004 ~~4/2003~~.

(b) No change.

(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8 of these rules. Effective 1/2004 ~~4/2003~~.

(d) through (n) No change.

(o) Form 1F, Final Statement of Financial Interests. To be filed within 60 days of leaving public office or employment. Effective 1/2004 ~~4/2003~~.

(p) Form 6F, Final Full and Public Disclosure of Financial Interests. To be filed within 60 days of leaving public office. Effective 1/2004 ~~4/2003~~.

(q) No change.

(r) Form 6X, Amendment to Full and Public Disclosure of Financial Interests. To be used to amend a previously filed CE Form 6. Effective 1/2004 ~~4/2004~~.

(2) No change.

Specific Authority Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS. Law Implemented 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Art. II, Sec. 8(a),(f),(h), Fla. Const. History--New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 11-19-98, 12-28-99, 1-1-00, 12-4-00, 12-21-00 10-14-01, 11-22-01, 1-1-02, 1-1-03.

LAND AND WATER ADJUDICATORY COMMISSION

Durbin Crossing Community Development District

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Durbin Crossing Community

Development District

42MM-1

RULE TITLES:

RULE NOS.:

Establishment

42MM-1.001

Boundary

42MM-1.002

Supervisors

42MM-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district ("CDD"), the Durbin Crossing Community Development District ("Durbin Crossing CDD"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by SouthStar Development

Partners, Inc. ("Petitioner"), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Durbin Crossing CDD. A Notice of Receipt of Petition for the Durbin Crossing CDD was published in the May 30, 2003, edition of the Florida Administrative Weekly. The land area proposed to be served by the District comprises approximately 2,047 acres. The proposed District is generally located west of Russell Sampson Road, east of State Road 13, south of Race Track Road, and north of CR 210 in St. Johns County. There is one out-parcel located within the external boundaries of the proposed District which is to be excluded from the District. The out-parcel is a mitigation parcel totaling 1.15 acres, more or less, that will not be adversely impacted by the establishment of the District. The development plan for the proposed lands within the District includes the construction of approximately 2,498 single and multi-family residential dwelling units, 100,000 square feet of commercial space and 70,000 square feet of office space, a school, parks and an amenity center. The proposed land uses within the District are subject to the Durbin Crossing Development of Regional Impact Development Order ("DRI") approved by St. Johns County. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Durbin Crossing Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 2:00 p.m. – 4:00 p.m., Thursday, August 14, 2003

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cheryl Stuart or Brian Crumbaker, Hopping Green – Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500 or Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

LAND AND WATER ADJUDICATORY COMMISSION

Aberdeen Community Development District

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Aberdeen Community Development District 42NN-1

RULE TITLES: RULE NOS.:

Establishment 42NN-1.001

Boundary 42NN-1.002

Supervisors 42NN-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district ("CDD"), the Aberdeen Community Development District ("Aberdeen CDD"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by SouthStar Development Partners, Inc. ("Petitioner"), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Aberdeen CDD. A Notice of Receipt of Petition for the Aberdeen CDD was published in the May 30, 2003, edition of the Florida Administrative Weekly. The land area proposed to be served by the District comprises approximately 1,313 acres. The proposed District is generally located west of Russell Sampson Road, east of State Road 13, south of Race Track Road, and north of Greenbriar Road in St. Johns County. There are two out-parcels located within the external boundaries of the proposed District which are to be excluded from the District. The out-parcels consist of mitigation parcels of 1.01 acres and .31 acres, more or less, that will not be adversely impacted by the establishment of the District. The development plan for the proposed lands within the District includes the construction of approximately 60,000 square feet of commercial space, 40,000 square feet of office space, 1,623 single-family units and 395 multi-family units, parks and an amenity center. The proposed land uses within the District are subject to the Aberdeen Development of Regional Impact Development Order ("DRI") approved by St. Johns County. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Aberdeen Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 2:00 p.m. – 4:00 p.m., Thursday, August 14, 2003

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cheryl Stuart or Brian Crumbaker, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500 or Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: RULE NO.:

Payment Methodology for Nursing Home Services 59G-6.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology, effective October 1, 2003, to provide the following changes based on Senate Bill 1202, Sections 63 and 64, 2001-2002 Florida Legislature.

1. Effective for cost reports filed for periods ending on or after December 31, 2003, the cost reports shall be submitted electronically in a format and manner prescribed by the agency.
2. Update to AHCA Document Number 5300-0001 incorporating a revised chart of accounts approved by the Auditor General.

SUBJECT AREA TO BE ADDRESSED: Electronic filing of cost reports and a revised chart of accounts.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: 2:00 p.m., August 20, 2003

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Butler, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)414-2756

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

AGENCY FOR HEALTH CARE ADMINISTRATION**Health Care Responsibility Program**

RULE TITLE: RULE NO.:

Covered Services 59H-1.0065

PURPOSE AND EFFECT: The purpose and effect of the rule amendment is to bring the existing rule into compliance with the statutory language under Section 154.306(2), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The payment of elective and non-emergency services and admissions by counties under the Health Care Responsibility Act (HCRA) and the requirements for pre-authorization and pre approval for such elective and non-emergency services and admissions by participating out-of-county hospitals.

SPECIFIC AUTHORITY: 154.3105 FS.

LAW IMPLEMENTED: 154.306, 154.31 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Hazel Greenberg, Medical Health Care Program Analyst, Agency for Health Care Administration, Bureau of Managed Health Care, Data Analysis Unit, 2727 Mahan Drive, Bldg. 1, Mail Stop Code 26, Tallahassee, FL 32308, (850)414-9444

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59H-1.0065 Covered Services.

(1) Covered services are limited to hospital services as defined in Rules 59G-4.160, and 59G-4.150, F.A.C., and the Medicaid Provider Handbook – Hospital Services, Revised May 2000 January 1997, incorporated by reference, unless otherwise specified in this rule. The handbook is available from the Medicaid fiscal agent.

(2) The county of residence shall be liable for the cost of treatment for emergency medical conditions in a hospital emergency room, as defined in Rule 59G-4.160, F.A.C., and the Medicaid Provider Handbook – Hospital Services, Revised May 2000 January 1997, unless otherwise specified in this rule.

(3) Elective or non-emergency services or admissions require written pre-authorization and pre-approval if ~~The county of residence has may established written a procedures to authorize and approve admissions to an out-of-county hospital for such elective and non-emergency services and admissions.~~ The procedures shall include a requirements for hospitals to request and obtain written authorization and approval for elective and non-emergency such hospital admissions or services.

(4) Elective or non-emergency admissions or services are not covered when a county ~~taxing authority or hospital taxing district~~ provides funding for such services and the services are available at a local hospital within the county ~~or taxing district~~ where the individual resides.

Specific Authority 154.3105 FS. Law Implemented 154.306, 154.31 FS. History—New 3-29-89, Amended 12-24-90, Formerly 10C-26.0065, Amended 6-7-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLE: RULE NO.:

Fees 61-20.504

PURPOSE AND EFFECT: The Council proposes the development of a rule amendment to address the increase in the fingerprint processing fee.

SUBJECT AREA TO BE ADDRESSED: The fingerprint processing fee.

SPECIFIC AUTHORITY: 468.4315, 943.053 FS.

LAW IMPLEMENTED: 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435, 943.053 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Julie Malone, Executive Director, Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61-20.504 Fees.

The following fees are adopted by the Council:

- (1) No change.
- (2) Fingerprint processing fee \$47.00 ~~\$39.00~~.
- (3) through (16) No change.

Specific Authority 468.4315, 943.053 FS. Law Implemented 455.2171, 455.219(3),(6), 455.2281, 455.271, 468.4315(2), 468.433, 468.435, 943.053 FS. History—New 5-4-97, Amended 5-10-98, 9-9-98, 2-11-99, 3-13-00, 11-2-00, 1-3-01, 7-15-02, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Division of Florida Land Sales, Condominiums and Mobile Homes**

RULE TITLES: RULE NOS.:

General Provisions; Forms and Fees 61B-60.002

Application for and Renewal of Broker or Salesperson License 61B-60.003

PURPOSE AND EFFECT: To amend the fee required for national fingerprint processing to align it with changes made during the 2003 Legislative Session.

SUBJECT AREA TO BE ADDRESSED: Fees for national fingerprint processing.

SPECIFIC AUTHORITY: 215.405, 326.003, 326.004 FS.

LAW IMPLEMENTED: 326.004 FS.

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

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

PLACE: Conference Room B03, Fuller Warren Building, 202 Blount Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting: Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. (The preliminary text is available on-line at <http://www.state.fl.us/dbpr/lsc/index.shtml>.)

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Demonstrating Compliance

RULE NO.: 61G15-22.006

PURPOSE AND EFFECT: The Board proposes to amend this rule to clarify that licensees may execute a signed statement of compliance and submit said statement to the Board office at any time during the biennium or by accompanying their renewal form with said statement and return it to the Board office with their renewal at the end of the biennium. After amendment, the rule will allow a licensee to either demonstrate compliance with continuing education requirements at any time during the biennium or wait until renewal and submit a statement of compliance at time of renewal.

SUBJECT AREA TO BE ADDRESSED: Demonstrating compliance with continuing education requirements.

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

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 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: Natalie Lowe, Administrator, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-22.006 Demonstrating Compliance.

In order to demonstrate compliance, licensees must execute a signed statement at any time during the biennium and submit said statement to the Board office at that time or by accompanying their renewal form with said statement and return it to the Board office with their renewal. For each qualifying activity listed, the following information must be included on the statement:

(1) through (4) No change.

In addition, the Board may use attendance information submitted by the provide to determine whether licensees can demonstrate compliance.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Board Approval of Continuing

RULE NO.:

Education Providers

61G15-22.011

PURPOSE AND EFFECT: The Board proposes to amend this rule to remove Core Curriculum Providers concerning the Florida Building Code from automatic approval as continuing education providers to Board licensees.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Continuing Education Providers.

SPECIFIC AUTHORITY: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 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: Natalie Lowe, Administrator, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-22.011 Board Approval of Continuing Education Providers.

(1) through (9)(a) No change.

(b) Federal Governmental Agencies that establish rules, regulations, guidelines, or otherwise have an impact on the practice of engineering; and

(c) State and National Engineering Professional Associations approved by the Board, ~~and~~

~~(d) Core Curriculum Providers accepted by the Florida Building Commission under Section 553.841, F.S.~~

Specific Authority 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History—New 9-16-01, Amended 9-4-02,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Inactive Registration RULE NO.: 61J1-2.005

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to inactive registration.

SPECIFIC AUTHORITY: 475.614, 475.619 FS.

LAW IMPLEMENTED: 475.613(2), 475.618, 475.619 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLES: RULE NOS.:
Application by Individuals 61J1-3.001
Where to Apply 61J1-3.002

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rules into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to application submissions for licensure.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617, 475.624 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Notice of Satisfactory Course Completion RULE NO.: 61J1-4.005

PURPOSE AND EFFECT: The purpose of the proposed rule development is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development affects rule provisions relating to record keeping affecting course completion.

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617, 475.618 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 PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM
THE CONTACT PERSON LISTED ABOVE.

Florida Real Estate Appraisal Board

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

Florida Real Estate Appraisal Board

PURPOSE AND EFFECT: The purpose of the proposed rule development workshop is to bring the rules into compliance with statutory changes.

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

Division of Medical Quality Assurance

PLACE: Betty Easley Conference Center, 4075 Esplanade
Way, Room 182, Tallahassee, Florida 32399

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact Chelle Martin, (850)245-4131, at least five calendar days prior to the workshop. If you are hearing or speech impaired, please contact Chelle Martin using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the department with respect to any matter considered at this meeting, 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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLES: RULE NOS.:

Application, Certification, Registration, and

Licensure Fees 64B8-3.002

Renewal Fees 64B8-3.003

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to increase renewal fees by 10% and to set forth the increase of fees for resident training fees, house physician, unrestricted license, and medical faculty certificate fees.

SUBJECT AREA TO BE ADDRESSED: Fee increases.

SPECIFIC AUTHORITY: 456.013, 456.025, 458.309, 458.311, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.025, 456.036, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Standards of Practice 64B8-9.007

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address a process to be undertaken by the surgical/procedure team for the purpose of properly identifying the patient, procedure and correct site for the procedure prior to commencing any surgery/procedure.

SUBJECT AREA TO BE ADDRESSED: Implementation of a procedure for the proper identification of the patient, procedure, and correct site for the procedure, prior to commencing any surgery/procedure.

SPECIFIC AUTHORITY: 458.309, 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(t), (v), (w) FS.

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

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

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Standards for the Use of Controlled Substances for the Treatment of Pain 64B8-9.013

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to delete an entity referenced in the rule which is no longer in existence.

SUBJECT AREA TO BE ADDRESSED: The removal of an entity referenced in the rule which is no longer in existence.

SPECIFIC AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.326, 458.331(1)(g), (t), (v) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-9.013 Standards for the Use of Controlled Substances for the Treatment of Pain.

(1) Pain Management Principles.

(a) through (b) No change.

(c) The Board recognizes that controlled substances, including opioid analgesics, may be essential in the treatment of acute pain due to trauma or surgery and chronic pain, whether due to cancer or non-cancer origins. ~~Physicians are referred to the U.S. Agency for Health Care Policy and Research Clinical Practice Guidelines for a sound approach to the management of acute and cancer-related pain.~~ The medical management of pain including intractable pain should be based on current knowledge and research and includes the use of both pharmacologic and non-pharmacologic modalities. Pain should be assessed and treated promptly, and the quantity and frequency of doses should be adjusted according to the intensity and duration of the pain. Physicians should recognize that tolerance and physical dependence are normal consequences of sustained use of opioid analgesics and are not synonymous with addiction.

(d) through (g) No change.

(2) through (3) No change.

Specific Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.326, 458.331(1)(g),(t),(v) FS. History—New 12-21-99, Amended 11-10-02,

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: RULE NO.:

Fees 64B13-6.001

PURPOSE AND EFFECT: The Board proposes to review the fees for possible changes in fees.

SUBJECT AREA TO BE ADDRESSED: Possible changes in fees.

SPECIFIC AUTHORITY: 456.013(2), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.013 (2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED 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: Joe Baker, Jr., Executive Director, Optometry Board, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:

Inmate Grievances – Terminology and Definitions 33-103.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide consistency between Rules 33-103.002 and 33-501.401, F.A.C., which has been amended to change the membership of the literature review committee.

SUMMARY: The proposed rule adds the Bureau Chief of Classification or his or her representative to the literature review 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 this notice.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.002 Inmate Grievances – Terminology and Definitions.

The following terms, as defined, shall be standard usage throughout the department:

(1) through (10) No change.

(11) Literature Review Committee: The final reviewing authority for appeals regarding rejected reading material. The committee is composed of the Bureau Chief of Security Operations or his or her representative, the Bureau Chief of Inmate Grievance Appeals or his or her representative, the Bureau Chief of Classification or his or her representative, and the Library Services Administrator or his or her representative.

(12) through (14) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History--New 10-12-89, Amended 1-15-92, 12-22-92. 4-10-95, 12-7-97, Formerly 33-29.002, Amended 10-11-00, 1-2-03.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Celeste Kemp

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

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

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Visiting Operations

RULE NO.: 33-601.721

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).

SUMMARY: The proposed rule deletes reference to the Inmate Welfare Trust Fund and replaces it with the General Revenue Fund pursuant to Senate Bill 954 (2003).

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.721 Visiting Operations.

(1) No change.

(2) Wardens shall ensure that games, small toys and other suitable activities are available for small children to assist visitors with keeping their children occupied during visitation. Purchases to replenish toys and items for other activities is authorized from the General Revenue ~~Inmate Welfare Trust~~ Fund. Visitors shall not be charged for damaged or broken games or toys.

(3) through (11) 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.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Tune

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF CORRECTIONS

RULE TITLE: Care of Inmates

RULE NO.: 33-602.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide more specific guidelines as to permissible hairstyles for male inmates and to remove obsolete language from the rule.

SUMMARY: The proposed rule allows male inmates to shave their heads uniformly, and deletes reference to the Inmate Welfare Trust Fund in accordance with Senate Bill 954.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 945.215 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED 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:

33-602.101 Care of Inmates.

(1) Each institution shall provide a canteen to be operated within the institution for the convenience of the inmates in obtaining items which are not furnished them by the Department of Corrections, but which are allowable within the institution through canteen purchase. Proceeds from the operation of the canteen shall be deposited in the general revenue ~~Welfare Trust Fund~~ as provided by law. These profits shall be used as provided in Rule 33-203.101, F.A.C. ~~As prescribed by law the Welfare Trust Fund shall be the responsibility of the Secretary, who may delegate such authority to the proper institutional committee.~~ Such canteen operation shall be subject to audit, as other institutional

operations are audited. Institutions with a cashless canteen shall restrict canteen purchases to those inmates with proper identification. Alternate purchase procedures shall be established for those inmates with temporary ID cards. These alternate procedures shall ensure at least a weekly opportunity to make canteen purchases.

(2) through (3) No change.

(4) For security and identification purposes, no inmate shall be permitted to have his or her hair, to include eyebrows and facial hair, dyed, cut, shaved or styled according to fads or extremes that would call attention to the inmate or separate inmates into groups based upon style. This would include, for example, tails, woven braids, cutting, sculpting, clipping or etching numbers, letters, words, symbols or other designs into the hair. Male inmates shall have their hair cut short to medium uniform length at all times with no part of the ear or collar covered. Male inmates shall be permitted to shave their entire heads in a uniform manner unless the inmate is using his hairstyle or lack thereof to demonstrate gang affiliation or otherwise pose a threat to institutional security. Partial shaving of the head in a Mohawk or other distinctive style shall not be permitted. Sideburns shall not extend beyond the bottom of the earlobes and will have straight lines with no flare at the base. All male inmates shall be clean shaven, provided, however, that an exemption from this requirement shall be granted on the basis of a medical diagnosis when it is determined by the staff physician that shaving would be detrimental to the inmate's health. Inmates granted a medical exemption from the shaving requirement may be required to keep their facial hair closely trimmed with scissors or clippers. For the purpose of this rule, "closely trimmed" means trimmed so that no part of the facial hair exceeds the length prescribed by the physician as necessary to prevent the appearance or reappearance of skin disorders. If no specific length is prescribed, then facial hair shall be kept trimmed to within one-quarter inch. An inmate who has been granted a shaving exemption shall maintain the written exemption on his person at all times when outside the assigned housing unit.

(5) through (10) No change.

Specific Authority 944.09 FS. Law Implemented 944.09, 945.215 FS. History--New 10-8-76, Formerly 33-3.02, Amended 4-19-79, 4-24-80, 1-9-85, 11-3-87, 9-16-88, 7-23-89, 8-27-91, 3-30-94, 11-14-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01, 1-19-03, _____.

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: July 9, 2003

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

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Long-Term Care Ombudsman

Conflict of Interest 58L-2

RULE TITLES: RULE NOS.:

Definitions 58L-2.001

Prohibitions 58L-2.005

Procedures 58L-2.007

Removal of Existing Conflicts 58L-2.009

PURPOSE AND EFFECT: The 2002 Florida Legislature placed the Long-Term Care Ombudsman program under the direct administration of the Department of Elder Affairs. As a result of this change, the Department conducted a review of all the program rules and held a rule development workshop on November 8, 2002, in Tampa, Florida. Comments received by the Department from the Long-Term Care Ombudsman Advisory Council were incorporated into the proposed changes. The purpose of proposed amendments to Rule 58L-2.001, Florida Administrative Code, is to: (1) delete the obsolete definitions of "Area" or Program and Service Area", "adult congregate living facility", "area", and insert current terminology; (2) insert the words "in the state of Florida" to further clarify the definition for conflict of interest; (3) provide further clarification for the term "immediate family" by deleting the words "member of" and inserting the words "individual residing in"; (4) defines the term "Indirectly" to further clarify conflict of interest; (5) insert the word "and" to further clarify the term "Long-term care facility"; and (6) renumber subsections (2) through (9). The purpose of proposed amendments to Rule 58L-2.005, Florida Administrative Code, is to: (1) delete obsolete language "and Rehabilitative Services", (2) insert current terminology of "the Department of Children and Family Services", (3) delete "an Area Agency on Aging" from the list of organization who's employees are prohibited from being a member of a District Long-Term Care Ombudsman Council due to the lack of rulemaking authority, and (4) add "a medical director of a long-term care facility" as an individual that is prohibited from becoming a member of a District Long-Term Care Ombudsman Council. The purpose of proposed amendments to Rule 58L-2.007, Florida Administrative Code, is to (1) revise the name of the "Conflict of Interest Disclosure Form", SLTCO Form #1 to "Conflict of Interest Certification Form", SLTCO Form #1 to accurately state the purpose of the form, (2) revise the form to require the individual certify that they do not have a conflict of interest as defined in Chapter 58L-2, Florida Administrative Code, and (3) revise the name of the State Ombudsman and mailing address for the Office of the State Long-Term Care Ombudsman. The purpose of proposed amendments to Rule 58L-2.009, Florida Administrative Code, is to repeal this obsolete provision relating to removal of conflicts that existed prior to September 30, 1994.

SUMMARY: Proposed amendments to Rules 58L-2.001, 58L-2.005, 58L-2.007, and 58L-2.009, F.A.C., clarifies, updates, and revises provisions relating to conflict of interest for long-term care ombudsman. Obsolete references are deleted and updated. Definitions for "district" and "indirectly" are provided. Proposed amendment to Rule 58L-2.009, F.A.C., repeals this obsolete provision relating to removal of conflicts that existed prior to September 30, 1994.

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

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

SPECIFIC AUTHORITY: 400.0067(4), 400.0069(10) FS.

LAW IMPLEMENTED: 400.0067(4), 400.0069(4),(10) FS.

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

TIME AND DATE: 10:00 a.m. – 11:00 a.m., August 18, 2003

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

58L-2.001 Definitions.

(1) No change.

(2) ~~"Area" or "Planning and Service Area" means a geographic area in which the programs of the department are administered and services are delivered. These areas are the same as prescribed for the Department of Health and Rehabilitative Services in Section 20.19(7)(a), Florida Statutes, prior to July 1, 1992.~~

(2)(3) "Conflict of Interest" as used in this chapter means

(a) through (b) No change.

(c) Employed by, or participating in the management of, a long-term care facility in the state of Florida; or

(d) No change.

(3)(4) "Department" means the Department of Elder Affairs.

(4) "District" means a geographic area in which the programs of the department are administered and services are delivered.

(5) "Immediate family" means father, mother, husband, wife, son, daughter, brother, sister, or an individual residing in member of the household.

(6) "Indirectly" means receiving remuneration from a company providing a service to a long-term care facility, such as a consulting pharmacist.

(7)(6) "Long-term care facility" means a nursing home facility, assisted living facility ~~adult congregate living facility~~, or an adult family care home as those terms are defined in Chapter 400, Florida Statutes.

(8)(7) "Long-term care services" means services provided by a long-term care facility, home health agency, adult day care center, hospice, intermediate care facility, home for special services, or transitional living facility as those terms are defined in Chapter 400, Florida Statutes, guardians or representative payees for individuals, other than an immediate family member, who are residents of long-term care facilities.

(9)(8) "Program" refers to the Office of the State Long-Term Care Ombudsman, its representatives and employees, the State Long-Term Care Ombudsman Council, and the district or ~~local area~~ Long-Term Care Ombudsman councils as established in Chapter 400, Part I, Florida Statutes.

Specific Authority 400.0065(3), 400.0067(4)(5), 400.0069(10), 400.0087(1) FS. Law Implemented 400.0065(1)(a),(3), 400.0067(4)(5), 400.0069(4),(10), 400.0087(1),(3) FS. History—New 6-27-94, Amended.

58L-2.005 Prohibitions.

(1) No change.

(2) No employee of the Agency for Health Care Administration, the Department of Business and Professional Regulation, the Department of Children and Families, the Department of Health and Rehabilitative Services, the Department of Elder Affairs, or ~~an~~ medical director of a long term care facility Area Agency on Aging shall be a member of a District Long-Term Care Ombudsman Council.

Specific Authority 400.0065(3), 400.0067(4)(5), 400.0069(10), 400.0087(1),(3) FS. Law Implemented 400.0065(3), 400.0067(4)(5), 400.0069(4),(10), 400.0087(1),(3) FS. History—New 6-27-94, Amended.

58L-2.007 Procedures.

(1) Upon appointment, reappointment, employment or affiliation with the program, each appointee, officer, employee or representative shall sign the Conflict of Interest Certification Disclosure Form, SLTCO Form #1, dated July 2003 ~~May 1994~~, incorporated herein by reference and available at the Office of the State Long-Term Care Ombudsman,

(a) through (b) No change.

(2) through (3) No change.

Specific Authority 400.0065(3), 400.0067(4)(5), 400.0069(10), 400.0087(1) FS. Law Implemented 400.0065(3), 400.0067(4)(5), 400.0069(10), 400.0087(1), 400.0091 FS. History—New 6-27-94, Amended.

58L-2.009 Removal of Existing Conflicts.

Specific Authority 400.0065(3), 400.0067(5), 400.0069(10), 400.0087(1) FS. Law Implemented 400.0065(3), 400.0067(5), 400.0069(10), 400.0087(1),(3) 400.0091 FS. History—New 6-27-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda Macdonald

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Terry White, Secretary

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 25, 2002

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: RULE NO.:

Home and Community-Based Services Waivers 59G-8.200

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate the Developmental Services Waiver provider rate methodology information, to revise Appendix A, to update Appendices D and E, to modify existing text relating to updated information including direct billing, to incorporate the federal Health Insurance Portability and Accountability Act (HIPAA) information and to provide additional definitions for clarification purposes, resulting from the Developmental Services Waiver Services redesign project, into the Developmental Services Waiver Services Coverage and Limitations handbook. The effect will be to incorporate by reference in the rule the revised, most current Developmental Services Waiver Services Coverage and Limitations Handbook.

SUMMARY: The purpose of this rule amendment is to incorporate the Developmental Services Waiver provider rate methodology information, to revise Appendix A, to update Appendices D and E, to modify existing text relating to updated information including direct billing, to incorporate the federal Health Insurance Portability and Accountability Act (HIPAA) information and to provide additional definitions for clarification purposes, resulting from the Developmental Services Waiver Services redesign project, into the Developmental Services Waiver Services Coverage and Limitations Handbook.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.912 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Tuesday, August 19, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Henderson, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)414-9756

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-8.200 Home and Community-Based Services Waivers.

(1) through (11) No change.

(12) Developmental Services Waiver – General. This rule applies to all Developmental Services Waiver Services providers enrolled in the Medicaid program. All Developmental Services Waiver Services providers enrolled in the Medicaid program must comply with the Developmental Services Waiver Services Coverage and Limitations Handbook October 2003 ~~July 2002~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, October 2003 ~~July 2001~~. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906(12), 409.912(7) FS. History—New 4-20-82, Formerly 10C-7.527, Amended 3-22-87, 11-23-89, Formerly 10C-7.0527, Amended 1-16-96, 7-23-97, 1-6-02, 10-27-02,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen Henderson

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Rhonda M. Medows, M.D., FFAFP,
Secretary

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 25, 2003

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLES: RULE NOS.:

The Supervision of Self-Administration of Medications by and the Administration of Medication to Developmental Services (DS) Waiver Recipients, by Unlicensed Direct Service Providers	59G-8.201
Definitions	59G-8.202
Medication Administration Training and Medication Administration Skills	
Validation Requirements for the Unlicensed Direct Service Provider	59G-8.203
Requirements for Administration of Medication	59G-8.204
Requirements for Supervision of Self-Administration of Medication	59G-8.205
Storage Requirements for Prescription Medications	59G-8.206

Additional Requirements 59G-8.207
Required Record Keeping for the

Administration of Medications or the
Supervisions of Self-Administration
of Medication, by Validated

Direct Service Providers 59G-8.208

Special Requirements for Recipients who
Require Medication While Traveling
or Away for a Visit 59G-8.209

Informed Consent 59G-8.210

Requests for Exemption 59G-8.211

PURPOSE AND EFFECT: The purpose of this rule is to provide DS waiver direct service providers, or direct service staff employed by a DS waiver provider, who do not currently hold a professional medical license and who provide direct services to DS waiver recipients while in their own or family homes, foster homes, group homes, independent living arrangements, supported living arrangements, and Adult Day Training facilities, with guidelines regarding:

Medication administration training and medication administration skills validation requirements for the unlicensed direct service provider; Requirements for administration of medications; Requirements for the supervision of self-administration of medication; Storage requirements for medication; Required record keeping for the administration or supervisions of self-administration of medication by a validated direct service provider; Special requirements for recipients who require medication while traveling, or away for a visit; Informed consent; Request for exemption; and Additional requirements.

SUMMARY: This is a new rule, which will be incorporated by reference in the next revision of Rule 59G-8.200, F.A.C.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.912 FS.

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

TIME AND DATE: 2:00 p.m. – 4:00 p.m., August 19, 2003

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida. Building # 3, Conference Room A
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kathryn Stephens, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)921-4464 or e-mail: stephenk@fdhc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

59G-8.201 The Supervision of Self-Administration of Medications and the Administration of Medications to Developmental Services (DS) Waiver Recipients, by Unlicensed Direct Service Providers.

(1) The purpose of this rule is to provide DS waiver unlicensed direct service providers, or unlicensed direct service staff employed by a DS waiver provider, who do not currently hold a professional medical license and who provide direct services to DS waiver recipients while in their own or family homes, foster homes, group homes, independent living arrangements, supported living arrangements, and Adult Day Training facilities, with guidelines regarding:

(a) Medication administration training and medication administration skills validation requirements for the unlicensed direct service provider;

(b) Requirements for administration of medication;

(c) Requirements for the supervision of self-administration of medication;

(d) Storage requirements for prescription medication;

(e) Additional requirements;

(f) Required record keeping for the administration or supervision of self-administration of medication by a validated direct service provider;

(g) Special requirements for recipients who require medication while traveling or away for a visit;

(h) Informed consent; and

(i) Request for exemption.

(2) This rule does not apply to:

(a) Unlicensed family members or family members who are DS waiver recipients who administer medication or who assist in self-administering medication without compensation;

(b) Unlicensed direct service providers working as employees of or under contract with licensed home health agencies, with the exception of those requirements listed for only the supervision of self-administration of medication.

(c) Unlicensed direct service providers working as employees of or under contract with licensed nurse registries.

(d) Unlicensed direct service providers working as employees of or under contract with licensed Hospice Agencies.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History—New _____.

59G-8.202 Definitions.

Definitions, as used in Rules 59G-8.201-59G-8.211, F.A.C.:

(1) “Adult Day Training (ADT)” means a DS waiver program that provides training services to enrolled DS waiver adults. The ADT program is intended to support the participation of recipients in daily, valued routines of the community, which may include work-like settings, that assist

the recipient to achieve his or her defined outcomes (goals). This rule only applies to recipients receiving ADT services at the ADT facility.

(2) "A.R.N.P." is an advanced registered nurse practitioner, licensed by the Department of Health, practicing within the scope of his or her license, pursuant to Chapter 464, F.S.

(3) "Controlled medication" means a medication that is regulated by law with regard to possession and use.

(4) "Department" refers to the Department of Children and Families, Developmental Disabilities Office.

(5) "District" means one of the local District or Regional Developmental Disabilities offices serving a specified geographic area.

(6) "District Medical Case Manager" is the professional health care staff person designated as the Medical Case Manager for a specific district of the Department of Children and Families Developmental Disabilities program.

(7) "Foster home" is a facility, defined in Section 393.063(23), F.S. that provides residential services to enrolled DS waiver recipients. This facility provides a family living environment, including supervision and care, necessary to meet the physical, emotional, and social needs of its residents.

(8) "Group home" is a licensed residential facility that provides a family living environment including supervision and care necessary to meet the physical, emotional, and social needs of its residents. The capacity of such a facility shall be between 4 and 15 residents.

(9) "Health care professional" is a pharmacist, licensed under Chapter 465, F.S., a physician or physician's assistant, licensed under Chapter 458 or 459, F.S., a dentist, licensed under Chapter 466, F.S., or a nurse, licensed under Chapter 464, F.S.

(10) "L.P.N." is a licensed practical nurse, licensed by the Florida Department of Health and practicing within the scope of his or her license, pursuant to Chapter 464, F.S.

(11) "Medical Case Manager" is an R.N. or A.R.N.P. employed by the Department and assigned to a specific District. This individual provides nursing oversight regarding the medical care and needs of the DS waiver recipients residing in that District.

(12) "Medication Administration Record (MAR)" is a document on which each instance of medication administration or self-administration of medication is recorded for a specific recipient.

(13) "Narcotic medication" means a medication that is also a controlled medication regulated by law. Narcotic medications used in moderate doses may dull the senses, relieve pain and induce profound sleep, but when used in excessive doses causes stupor, coma or convulsions.

(14) "Non-prescription or over-the-counter (OTC) medication" is a medication that is authorized, pursuant to federal or state law, for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

(15) "Ophthalmic medication" means any prescribed eye solution (eye drops) or ointment to be instilled into the eye or applied on or around the eyelid.

(16) "Oral medication" means any medication, tablet, capsule, or liquid introduced into the gastrointestinal tract via oral consumption (by mouth).

(17) "Otic medication" means prescribed solutions or ointments to be applied into the outer ear canal or around the outer ear.

(18) "Parenteral" meaning not in or through the digestive system. Parenteral nutrition is given through the veins of the circulatory system, rather than through the digestive system.

(19) "Physician" means a health care professional who holds an active license pursuant to Chapter 458, F.S., or an osteopathic physician who holds an active license pursuant to Chapter 459, F.S.

(20) "Prescription medication" is a drug or medication obtained pursuant to a prescription, as defined in Section 465.003(14), F.S.

(21) "PRN" (*pro re nata*) meaning as the situation demands or as needed at a specific time.

(22) "Provider" means the organization or individual enrolled as a DS waiver provider in the case of a sole proprietorship, which is responsible for delivering services to the DS waiver recipient.

(23) "Recipient" for the purpose of this rule, means a developmentally disabled individual who is currently enrolled in the Developmental Services (DS) waiver and is receiving home and community-based services provided through the DS waiver.

(24) "Rectal medication" means any prescribed medication, capsule or suppository to be administered via the rectum.

(25) "R.N." is a registered nurse, licensed by the Department of Health, practicing within the scope of his or her license, pursuant to Chapter 464, F.S.

(26) "Sample medication" means a prescription medication, dispensed by a licensed physician, dentist, podiatrist, physician's assistant, or A.R.N.P. without charge, which does not contain all of the following information in the label affixed to the medication: the name of the dispensing practitioner, the patient's name, the date the medication was dispensed, the name and strength of the drug, directions for use, and a clearly marked expiration date.

(27) "Special technique" means a medically related approach that is particularly adapted to the special disease or condition being treated.

(28) "Trans-dermal Patch" means an adhesive patch containing a pre-measured amount of topical medication that is absorbed into the body via the epidermis (outer layer of skin).

(29) "Unlicensed direct services provider" means an enrolled DS waiver provider, or a staff person of an enrolled DS waiver provider, who is not licensed or qualified to practice nursing or medicine, and renders services directly to DS waiver recipients.

(30) "Validated direct service provider" is an unlicensed direct services provider or an employed or contracted staff member of a provider who has completed the required medication administration training and has met skills validation requirements for the administration or the supervision of self-administration of medications to DS waiver recipients, unless otherwise excluded by this rule.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History—New.

59G-8.203 Medication Administration Training and Medication Administration Skills Validation Requirements for the Unlicensed Direct Service Provider.

(1) Required medication administration training shall include the following topics: safe handling of medications; proper administration of allowed medications; proper supervision of the self-administration of medications; proper documentation; and compliance with the requirements of this rule.

(2) Required medication administration training shall provide Department approved instruction and training, including step-by-step procedures necessary for the safe administration or supervision of self-administration of medication:

(a) The validated direct service provider shall wash his or her hands prior to administration of medication, or supervising the self-administration of medication to recipients:

(b) The validated direct service provider must conduct a triple-check of the dosage and time of administration against the original medication container label and the MAR before administering or supervising the self-administration of the medication:

(c) The validated direct service provider shall confirm that the recipient, to whom the medication is to be administered, is the same recipient for whom the medication has been prescribed:

(d) The validated direct service provider shall administer or supervise the self-administration of medications as prescribed and via the route instructed by the recipient's prescribing health care professional:

(e) The validated direct service provider shall ensure the oral medication administered or supervised during self-administration has been completely ingested before leaving the recipient:

(f) The validated direct service provider shall record or document the administration or self-administration of each medication in the MAR immediately after the administration or the supervision of self-administration:

(g) The validated direct service provider shall directly observe the recipient for a period of twenty minutes following the administration or supervision of self-administration to immediately detect and react to possible side effects of the medication or to document the effectiveness of the medication. The validated direct service provider shall review the MAR for special instructions regarding required observation.

(3) If the recipient requires specific positioning or the use of special techniques, specific to the individual, all validated direct service providers responsible for administering medication or supervising the administration of medication for that individual shall be trained regarding the correct positioning and use of any adaptive equipment required for the proper administration of medications or supervision of the self-administration of medications:

(4) It shall be the responsibility of the individual validated direct service provider who will be administering or supervising the administration of medication to recipients to obtain the medication administration training and successfully complete the skills validation required by this rule.

(5) Medication administration training for unlicensed direct service providers will be provided by or coordinated by the Department. Trainer orientation sessions will include current requirements of this rule and information to be covered during medication administration training sessions. The completion of an orientation session is required prior to providing medication administration training sessions or conducting skills validation tests. Documentation of the trainer's completed orientation will be provided to each unlicensed direct service provider that he or she trains or validates.

(a) Training sessions shall be conducted by a Florida licensed R.N. or A.R.N.P.

(b) A Florida Licensed Practical Nurse employed by a home health agency, a hospice agency or a nurse registry, while under the oversight of an agency or registry R.N., may also conduct medication administration training for only those unlicensed direct service providers of waiver services and locations described in paragraphs 59G-8.204(2)(b)-(i), F.A.C., of this rule, if not an agency employee.

(c) Skills validation testing of the unlicensed direct service provider may only be provided by a Florida licensed R.N. or A.R.N.P.

(6) To become validated, the unlicensed direct service provider must be able to successfully demonstrate, in a practical setting, his or her ability to correctly administer or supervise the self-administration of medications to a recipient in a safe and sanitary manner and to correctly and accurately document actions related to the administration or the supervision of self-administration of medications, in

accordance with the requirements of this rule. Additionally, the unlicensed direct care staff member must be able to state the purpose, common side effects, and signs and symptoms of adverse reaction regarding a list of commonly used medications, that were included in information provided at the approved medication administration training, from memory or demonstrate how he or she obtains that information and maintains it for easy access.

(7) Skills testing for the Department's approved medication administration training curriculum will be conducted by a Florida licensed R.N. or A.R.N.P. The validation nurse will maintain, and provide documentation of validation, within 5 working days to the Department for each validated direct service provider. This documentation will contain the following information:

(a) The name, address and DS waiver provider number, if applicable, of the DS waiver direct service provider or employee being validated;

(b) Validation date, with expiration date of 365 days from validation;

(c) Current date;

(d) Printed name and signature of the validating nurse, as it appears on his or her nursing license; and

(e) Validating nurse's license number, with license expiration date.

(8) All training curricula, handouts, testing materials, and documents used to comply with the medication administration training and skills requirements of this rule will be pre-approved by the Department.

(9) The individual validated direct service provider will maintain a copy of his or her medication administration instructor's and validation nurse's documentation of orientation and a copy of his or her current skills validation document. The validated direct service provider is responsible for maintaining a copy of these documents and providing copies to his or her agency, if an employee of a provider agency.

(10) The validated direct service provider will initially provide a copy of his or her signed skills validation documentation to the recipient, or his or her legal guardian or proxy, prior to the administration or the supervision of the self-administration of medications. The direct service provider will also provide a copy of his or her skills revalidation documentation, within five working days of the re-validation date.

(11) Any direct service provider who has not successfully renewed his or her validation prior to the expiration date will not be eligible to administer medications or supervise the self-administration of medication to recipients of DS waiver services, until medication administration re-training and the re-validation of skills has been successfully completed.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New _____.

59G-8.204 Requirements for Administration of Medication.

(1) Validated direct service providers shall be allowed to administer medications to recipients when all of the following requirements are met:

(a) Has successfully completed the required medication administration training, which was based on a training curriculum approved by the Department and meets the requirements of this rule;

(b) Has his or her medication administration skills successfully validated by a Florida licensed R.N. or A.R.N.P. and is re-validated at least annually thereafter;

(c) Is able to demonstrate his or her ability to read and follow medication instructions on a prescription label, physician's order or MAR;

(d) Is able to demonstrate his or her ability to write legibly, complete required documentation, and convey accurate and discernable information;

(e) Has a current informed consent, signed by the DS waiver recipient or their legal guardian or advocate. The consent form acknowledges and permits a specified validated direct service provider to administer specifically listed medications currently prescribed by a licensed physician, physician's assistant, or A.R.N.P. to an individual DS waiver recipient. The informed consent form must be updated at least annually or more often if a recipient's circumstances change;

(f) Receives an oral or written orientation or individual report, for each recipient to be supervised during self administration of medication and for each recipient to be administered medications, by another provider, support coordinator or family member who is familiar enough with the DS waiver recipient to be able to advise the unlicensed provider of the recipient's usual behavior and of any past medication reactions; and

(g) The recipient, to whom medication will be administered, has not been determined to be capable of the safe handling and the self-administration of his or her own medications by his or her prescribing physician.

(2) When all of the above-described prerequisites for administration of medication by validated direct service providers are met, the administration of medications may occur during the provision of the following DS waiver services, at these specific locations:

(a) Adult Day Program, at the ADT facility;

(b) Behavior Assistant Services, at the recipient's place of residence;

(c) Companion Services, at the recipient's place of residence;

(d) In-Home Support Services, at the recipient's place of residence;

(e) Non-Residential Support Services, at the recipient's place of residence;

(f) Personal Care Assistance, at the recipient's place of residence;

(g) Respite Care, at the recipient's place of residence;

(h) Special Medical Home Care, at the recipient's place of residence;

(i) Supported Living Coaching, at the recipient's place of residence.

(3) Settings where validated direct service providers may not administer medications are any settings that are not identified for the specific waiver services listed in paragraphs 59G-8.204(2)(a)-(i), F.A.C., above.

(4) In the following circumstances, only a licensed health care professional shall administer medications:

(a) When prescription medications are administered by intra-muscular or intravenous injection.

(b) In the absence of a signed informed consent form that permits the specific validated direct service provider or the direct service employees or contract staff of a provider agency to administer prescribed medications.

(c) The direct service provider does not meet all requirements listed in paragraphs 59G-8.204(1)(a)-(g), F.A.C., above.

(5) General considerations governing administration of medication:

(a) Medications shall be administered to the person, at the time, with the dosage, and by the route prescribed by the individual's health care professional.

(b) Medications may not be crushed, diluted or mixed without the written directions or instructions from the individual's prescribing health care professional.

(c) The expiration date must be checked before administering each medication.

(d) Medications with an expiration date preceding the current date will not be administered.

(e) Outdated medication must be properly destroyed by the individual responsible for medication administration or the supervision of self-administration of medications. The disposal will be witnessed and documentation of disposal signed by the validated direct service provider and one other person, who is not a recipient of DS waiver services;

(f) Torn, damaged, illegible or mislabeled prescription labels should be reported immediately to the dispensing pharmacy or pharmacist and, if recipient is residing in a residential facility, the facility supervisor must also be notified.

(g) The documentation of each medication administered to a recipient shall be recorded immediately in the Medication Administration Record (MAR) by the validated direct service provider administering the medication.

(h) Recipients shall not miss medications due to delays in refilling a prescription.

(i) Validated direct service providers shall wash his or her hands with soap and water prior to administering medications to recipients and will rewash hands as needed during the time period which medications are being administered.

(j) Medications shall be prepared for one individual recipient at a time, in a quiet location that is free from distraction.

(k) Validated direct service providers shall only administer medications to, or supervise the self-administration of medications for, one recipient at a time. To complete an individual's medication process, the medication of one individual recipient must be returned to the portable or permanent medication storage unit before administering medications to, or supervising the self-administration of medication for, another DS Waiver recipient.

(l) No DS Waiver recipient shall be administered a prescription or OTC medication or treatment, except upon the written order of the individual recipient's prescribing health care professional.

(m) Validated direct service providers may administer, or supervise the administration of, OTC medications include: acetaminophen, cough medicine, antihistamines or decongestants, as currently prescribed (and documented on the medication's pharmacy label with instructions regarding criteria for use) by the individual's health care professional.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New _____.

59G-8.205 Requirements for Supervision of Self-Administration of Medication.

(1) A recipient who has been determined by his or her prescribing health care professional as capable of safely handling his or her own medications, should be encouraged to do so.

(2) Validated direct service providers will be permitted to supervise a recipient's self administration of medication when all of the following requirements are met:

(a) Has successfully completed the required medication administration training session, which was based on a training curriculum approved by the Department, and meets the requirements of this rule;

(b) Has his or her medication administration skills successfully validated by a Florida licensed R.N. or A.R.N.P. and is re-validated at least annually;

(c) Can demonstrate the ability to read and follow medication instructions on a prescription label, physician's order and MAR;

(d) Can demonstrate the ability to write legibly, complete required documentation, and convey accurate and discernible information;

(e) Has a current informed consent, signed by the DS waiver recipient or his or her legal guardian or advocate. The consent form acknowledges and permits the individual

validated direct service provider or a provider's validated direct service staff to administer medications currently prescribed for the individual recipient by a licensed physician, physician's assistant or A.R.N.P.:

(f) Must comply with the requirements of paragraph 65B-6.009(15)(d), F.A.C., before the supervision of self-administration may be provided to recipients residing in a foster home licensed by the Developmental Disabilities Program;

(g) Must comply with the requirements of paragraph 65B-6.010(14)(c), F.A.C., before the supervision of self-administration may be provided to recipients residing in a licensed group home facility; and

(h) The medication being self-administered is currently prescribed for the individual, and is being self-administered as prescribed by the individual's physician, physician's assistant or A.R.N.P.

(3) A recipient's self-administration of medication may be supervised by a validated direct service provider, within the DS waiver service settings described in paragraphs 59G-8.204(2)(a)-(i), F.A.C., above.

(4) Supervision of self-administration may include the following activities by validated direct service providers:

(a) Removing the medication, in its properly dispensed and properly labeled container, from its portable or permanent storage unit and handing the unopened container to the recipient, for whom the medication is currently prescribed;

(b) Checking the expiration date on each prescription label or medication container label prior to proceeding to (c)-(g) of this section. Should the expiration label be illegible, the validated unlicensed direct service provider shall immediately notify the dispensing pharmacist or pharmacy and the facility supervisor;

(c)1. Ask the recipient his or her name,

2. Reading once silently and then reading aloud from the prescription label,

3. The name for whom the medication has been dispensed,

4. The name of the medication,

5. The dosage prescribed, and

6. Administration instructions listed on the prescription label to the recipient and check that information against the MAR before opening the container;

(d) Prompting the recipient regarding the correct amount of medication that he or she should remove from the container (or in the case of inhaled medications, the number of pre-measured doses to be taken and by what route of administration), giving the container to the recipient, observing the recipient as he or she removes the medication from the container to ensure that he or she removes only the quantity of medication prescribed, observing the recipient as he or she takes the medication, checking to make sure that the recipient has actually ingested the medication, and has securely closed the container;

(e) Assisting the recipient with the application of topical medications;

(f) Assisting the recipient with the placement of a trans-dermal medication patch;

(g) Coaching the recipient through the proper techniques to be used for the self-administration of oral or nasal inhaler medications;

(h) Returning the medication container to a proper portable or permanent storage unit;

(i) Documenting the supervision of self-administration of medication in the MAR. The MAR documentation shall include the recipient's name, known allergies, current date, the time of self-administration, the dosage that was self-administered, the name of the medication self-administered, the name of the prescribing health care professional, and the initials and signature of the validated direct service provider supervising the self-administration;

(j) Supervising the self-administration of medication for one recipient at a time and completing the supervision process (by returning the medication(s) supervised to its portable or permanent storage) before providing supervision of the self-administration of medication to or administering medication to another DS waiver recipient; and

(k) Recipients shall not miss medications due to delays in refilling a prescription.

(5) The following activities do not meet the requirements of this rule regarding the supervision activities performed by validated direct service providers for the self-administration of medication by recipients:

(a) The actual removal of the medication from its original container by the validated direct service provider;

(b) The preparation of syringes, by the validated direct service provider for a recipient's use in the self-administration of medication via a subcutaneous, intra-dermal, intra-muscular or intravenous route;

(c) The actual mixing and pouring of medications used through intermittent positive pressure breathing machines or a nebulizer;

(d) The actual administration of medication through a nasal or oral inhaler;

(e) The administration of parenteral preparations;

(f) Performing irrigations of affected tissue or applying agents used in the debridement of skin;

(g) Applying prescribed topical creams or lotions;

(h) Administering rectal, urethral or vaginal preparations;

(i) Assisting the recipient, in any way, with medications for which the time of administration, the amount, the strength of the dosage, the method of administration, or the reason for administration would require professional medical judgment on the part of the validated direct service provider.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New _____.

59G-8.206 Storage Requirements for Prescription Medications.

(1) All prescription medication shall be kept in its original container, (whether dispensed by the pharmacy or another health care professional authorized to dispense medications), bearing the original dated prescription label containing legible information, stating the name of the individual for whom the prescription was dispensed, the name of the prescribing physician or health care professional, name of the medication, the dosage, the name, address and telephone number of the pharmacy (if dispensed by a pharmacy and the assigned prescription number), directions for use, the date the medication was dispensed, the quantity dispensed, and the expiration date of the medication.

(2) All prescription medication shall be stored in a double-locked enclosure.

(3) The key(s) to the locked containers and storage units containing prescription and over-the-counter medications shall be maintained at all times by either licensed professional health care personnel or validated direct service providers.

(4) Each recipient's medications shall be kept in its original container, separate from and not co-mingled with the medications of other individuals.

(5) Each medication shall be stored at the proper temperature for that specific medication. Medications requiring refrigeration should be stored in its original container within a locked storage container that is clearly labeled as containing medications. The refrigeration units used for medication will be located in a room with a key locked door and will not contain consumable food items or laboratory samples.

(6) Each medication shall immediately be returned to its portable or permanent storage unit immediately following its administration or self-administration.

(7) Any medication that has reached its expiration date must be destroyed in the manner described in paragraph 59G-8.204(5)(e), F.A.C., of this rule.

(8) The storage of controlled drugs and narcotics require additional safeguards that include:

(a) All controlled drugs and narcotics will be stored separately from other prescription and prescribed over-the-counter medications, in a separate, locked container and within a locked cabinet or room;

(b) The key(s) to the locked containers and storage units containing controlled or narcotic medications shall be maintained at all times by either licensed professional health care personnel or validated direct service providers;

(c) In facilities that operate in shifts, incoming and outgoing personnel will count controlled and narcotic medications. The count must be performed by the validated direct service provider responsible for medication administration during that day or shift and a witness, who is not a recipient of services. Both persons performing the medication count will carefully verify the accuracy of the

count by documenting the number or amount of medication present and compare that number to the previous count and the number of doses administered (per the MAR) since the previous count, for each controlled and narcotic medication. The two persons verifying the count will then sign and date the form used to document the medication count. Any discrepancies in the count of controlled or narcotic medications will be immediately reported to the facility supervisor. In the case of an individual home with only one direct service provider, a daily medication count will be conducted and results documented by that provider;

(d) In facilities where there are no shifts, all controlled drugs and narcotics shall be counted at least once per day, using the same counting and documentation technique described in (c) above; and

(e) In addition to reporting all discrepancies in the medication counts of controlled or narcotic medications counts to a facility supervisor, all discrepancies noted in the medication count must be promptly reported to the Program Administrator for the District Developmental Disabilities Program or his or her designee.

(9) Recipients who self-administer his or her own OTC medications on a PRN basis without supervision, will store those OTC medications in a locked container that cannot be accessed by other recipients.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New _____.

59G-8.207 Additional Requirements.

(1) If the recipient has been prescribed multiple medications, persons providing direct support to the recipient, including the support coordinator, shall work with the District Medical Case Manager to assure appropriate oversight and review of the recipient's medication regimen.

(2) Each facility shall have a designated health care professional who is available for consultation regarding the recipient's medications. The telephone number and name of this health care professional shall be readily available to the validated unlicensed direct care staff member.

(3) Missed doses of medication and errors in medication administration require the following actions:

(a) Any missed doses, including doses missed due to the recipient's refusal of the medication or errors in medication administration, including those that may be determined as minor errors, shall be immediately documented and reported to the prescribing health care professional for further instruction. Medication errors include the administration of the wrong medication, the administration of the wrong dose, administration of medication via the wrong route, the administration at the wrong time or day, or to the wrong recipient.

(b) Extra, "catch-up" or additional doses of medication shall not be administered or changes made to the prescribed time of administration, without the immediate, prior approval of the prescribing health care professional, which will be followed by a written order for this action from the prescribing health care professional. The validated direct service provider shall promptly record the prescribing health care professional's verbal instructions in the recipient's record and is responsible for any follow-up activities necessary to obtain the written order from the prescribing health care professional, which memorializes the instructions received. Once received, this written approval or instruction will be maintained in the recipient's record and available for review.

(c) If the medication error took place in a facility, the incident report will be issued to the facility supervisor. If the medication error took place in a resident's home or family home, the incident report will be submitted to the Department's Developmental Disabilities' District Office. The validated direct service provider will immediately complete an incident report after notifying the appropriate individuals, as described in (a) and (b) above.

(d) The recipient receiving the incorrect medication or dosage shall be closely observed, by the validated direct service provider, for a period of at least 30 minutes after the medication was administered or self-administered. Any changes observed in his or her condition should be immediately reported to the prescribing health care professional. In cases of respiratory difficulties or other life threatening emergencies resulting from a medication error, the validated direct service provider will immediately place a 911 call to request emergency medical services. All observations and contacts made regarding any medication error shall be recorded in the recipient's record maintained for review.

(e) Validated direct service providers determined as needing technical assistance, additional training or corrective action will be notified in writing by the District medical case manager and advised of required actions and timeframe for completion.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New _____.

59G-8.208 Required Record Keeping for the Administration of Medications or the Supervisions of Self-Administration of Medication, by Validated Direct Service Providers.

(1) Documentation shall be made immediately for each recipient receiving medication through the administration of medication or through the supervision of self-administration of medication by a validated direct service provider on a Medication Administration Record (MAR). Each MAR page will include the following information:

(a) Individual recipient's name;

(b) Any food or medication allergies specific to the individual recipient;

(c) Dates medication were administered or supervised;

(d) Name of each medication prescribed for the individual recipient;

(e) Dosage prescribed for each individual medication listed;

(f) Scheduled time for administration of each medication listed;

(g) Prescribed route of administration (oral, topical, rectal, etc.) for each medication listed, specific instructions for prescribed crushing, mixing or diluting of specific medications, initials and signature of the unlicensed person administering or supervising self-administration of medications documented on that MAR page. Completed MAR pages will be maintained in the individual recipient's record;

(h) A list of the individual recipient's drug and food allergies; and

(i) Each medication listed will also include the name of the prescribing health care professional.

(2) A list of possible side effects, adverse reactions and possible drug interactions for each recipient's medication administered shall be maintained and readily available to any licensed health care professional or validated direct service provider responsible for the administration or supervision of self-administration of medication.

(3) A record of drug counts, as required by this rule, shall be maintained and made readily available for review.

(4) An original informed consent form shall be maintained by the validated direct service provider, for each recipient for whom the provider administers medication or for whom the provider supervises the self-administration of medication.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New _____.

59G-8.209 Special Requirements for Recipients Who Require Medication While Traveling or Away for a Visit.

The following guidelines are used when a recipient is preparing for a trip or visit:

(1) The validated direct service provider shall ensure that the recipient is furnished with an adequate amount of medication to meet all dosages required while away from his or her place of residence;

(2) Medication shall not be removed from its original container and repackaged;

(3) Medications shall not be co-mingled in a container unless permitted by the provisions of subsection 64B16-28.108(2), F.A.C., or a recipient determined able to self-administer, or his or her family member places medication in a weekly pill container;

(4) If a weekly pill container is used, the validated direct service provider shall observe and document the removal of medication by the recipient, if determined able to self-administer, or family member and document the name and the amount of medication removed by the recipient or family

member on the MAR. A list of medication, using MAR format, shall then be affixed to the recipient's weekly pill container box;

(5) For persons who require special techniques or positioning, the provider shall ensure that the person responsible for administering the medication while the recipient is away from his or her place of residence receives verbal and written instructions on how to use the special technique or properly position the recipient;

(6) Family members who will be administering or supervising the self-administration of medications shall also be provided with specific instructions for situations, such as a medication error;

(7) The validated direct service provider shall provide to the person responsible for administering or supervising the self-administration of the medication while the recipient is away from his or her place of residence with the name of a contact person and a telephone or beeper number. The name and telephone number of the recipient's primary care physician shall also be provided to the responsible person or family member; and

(8) The provider shall provide a temporary MAR to be used by the responsible person or family member during the period of time that the recipient will be away. The responsible person or family member shall receive instructions from the validated direct service provider regarding how to document the administration or the supervision of self-administration of medication on the recipient's temporary MAR. This temporary record should be returned with the recipient to his or her place of residence. A pill count with review of the recipient's MAR will be conducted at that time to ensure the expected amount of medication is returned. Any discrepancies will be reported, as required by this rule, in the event of medication count discrepancies or suspected medication errors.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History—New _____.

59G-8.210 Informed Consent.

(1) An informed consent, using a Department approved form, CF-DS 2063, shall be obtained from the recipient, or his or her legal guardian before a validated direct service provider shall be permitted to administer medications or supervise the self-administration of medications to the recipient.

In accordance with Section 765.401, F.S., if the adult recipient is unable or his or her legal guardian is unable or unavailable to provide informed consent, this decision can be made for the recipient by any of the following individuals, in the following order of priority, if no individual in a prior class is available, willing or competent to act:

(a) The recipient's spouse;

(b) An adult child of the recipient, or if the recipient has more than one adult child, a majority of the adult children who are responsibly available for consultation;

(c) A parent of the recipient;

(d) The adult sibling of the recipient or, if the recipient has more than one sibling, a majority of the adult siblings who are reasonably available for consultation;

(e) An adult relative of the recipient who has exhibited special care and concern for the recipient and who has maintained regular contact with the recipient and who is familiar with the recipient's activities, health and religious or moral beliefs; and

(f) A close friend of the recipient. In those cases where the person with a developmental disability has no person among the various parties listed in paragraphs 59G-8.201(1)(a) through (f), F.A.C., a clinical social worker can be appointed as a health care proxy. This appointment must be made through the facility's bioethics committee, or in the absence of such a committee at the facility, by the bioethics committee of another facility.

The validated direct service provider responsible for the administration of medication or the supervision of the self-administration to the recipient cannot sign the informed consent as the recipient's proxy.

(2) The consent form acknowledges and permits the individual validated direct service provider or a provider's validated direct service staff to administer medications currently prescribed for the individual recipient by a licensed physician, physician's assistant or A.R.N.P.;

(3) The consent shall be renewed at least annually; and

(4) An original copy of the consent form shall be maintained in the validated direct service provider's records and a copy shall be maintained in the recipient's file.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History—New _____.

59G-8.211 Requests for Exemption.

(1) To obtain an exemption from individual requirements of this rule, the recipient or his or her legal guardian shall make a formal request in writing to the District Program Administrator for Developmental Disabilities. The following requirements apply:

(a) This request shall include the specific reason(s) the recipient finds the safeguards provided in the rule are unnecessary to assure his or her safety.

(b) Each request for exemption must be dated and signed by the recipient or his or her legal guardian.

(2) The following procedure will be followed when a letter requesting an exemption is received.

(a) The District Medical Case Manager shall review each request and forward a copy of the letter with a written recommendation to the District Program Administration within 10 working days of its receipt;

(b) The District Program administrator will review the information and in turn submit a copy of the request letter with the District's recommendation to the Developmental Disabilities Central Program Office within 10 working days of its receipt;

(c) The requesting party shall receive the Department's written response, indicating its approval or denial to his or her request, within 10 working days of its receipt by the Department's Central Office; and

(d) A copy of the Department's approval or denial of exemption shall be forwarded to the recipient's waiver support coordinator and recipient's district of residence.

(3) Such letters regarding exemptions from this rule, shall be maintained by the support coordinator in the recipient's central record and a copy shall also be maintained in the recipient's facility record and readily available for review.

(4) The recipient's waiver support coordinator will make a copy of this letter available to all independent validated direct service providers responsible for furnishing the exempted requirement of this rule to the exempted recipient.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New _____.

NAME OF THE PERSON ORIGINATING PROPOSED RULE: Kathryn Stephens

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, M.D., FAAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2003

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Supervisor RULE NO.: 64B3-5.002

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

SUMMARY: The Board is deleting provisions relating to when experience must be obtained and requires that examination certification not be allowed to substitute for one-year of experience in an individual category.

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: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.815, 483.823 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 Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall have one hour of Board approved HIV/AIDS continuing education and one of the following:

(a) No change.

(b) A masters degree in medical technology or clinical laboratory science, one of the licensure categories, or one of the chemical or biological sciences, and three years of pertinent clinical laboratory experience in the categories for which licensure is sought, ~~one year of which shall be post masters.~~

(c) A baccalaureate degree, with eight semester hours each of academic biological and chemical science included in a total of 24 semester hours of academic science and/or medical laboratory technology, and five years of pertinent clinical laboratory experience in the categories for which licensure is sought, two years of which must be at the technologist level ~~shall be post baccalaureate~~, including a minimum of one year in each category ~~for which licensure is sought.~~

(d) through (f) No change.

(g) In lieu of one year of experience required by paragraphs 64B3-5.002(1)(b) and (c), F.A.C., an applicant may use substitute Board certification obtained by examination in one or more of the laboratory specialties through the Board of Registry of the American Society of Clinical Pathologists, National Certification Agency of Medical Laboratory Personnel, National Registry of Clinical Chemistry, American Academy of Microbiology, American Medical Technologists, American Board of Bioanalysis, American Board of Clinical Chemistry, American Board of Medical Microbiology, American Board of Medical Genetics, American Board of Medical Laboratory Immunology, or American Board of

Histocompatibility and Immunogenetics. This certification shall not substitute for the one year of pertinent clinical laboratory experience in an individual category for which licensure is sought.

(h) through (i) No change.

(2) No change.

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.815, 483.823 FS. History--New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 5-23-02, 10-14-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: RULE NO.:

Personnel Licensure – Prerequisite

64B3-6.003

PURPOSE AND EFFECT: The Board proposes to delete duplicative language in the existing rule text.

SUMMARY: The Board proposes to remove language requiring the completion of four hours of HIV/AIDS education courses.

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: 483.805(4) FS.

LAW IMPLEMENTED: 456.013, 483.813, 483.815, 483.823 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., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-6.003 Personnel Licensure – Prerequisite.

(1) through (3) No change.

~~(4) All applicants for licensure shall submit evidence of completion of a four contact hour educational course on HIV/AIDS approved pursuant to Rule 64B3-11.005, F.A.C.~~

Specific Authority 483.805(4) FS. Law Implemented 456.013, 483.813, 483.815, 483.823 FS. History--New 6-6-85, Formerly 10D-41.71, Amended 7-4-89, Formerly 10D-41.071, 61F3-6.003, Amended 8-1-95, Formerly 590-6.003, Amended 8-27-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: RULE NO.:

Requirements for Continuing

Education Programs

64B3-11.003

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

SUMMARY: The Board is requiring an update on who is responsible for continuing education courses and emphasizing specialty area information.

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: 456.013(7), 483.805(4), 483.821 FS.

LAW IMPLEMENTED: 456.013(7), 483.821 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 Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.003 Requirements for Continuing Education Programs.

Programs seeking Board approval shall meet the following requirements:

(1) through (2) No change.

(3) Providers shall initially designate and subsequently update as appropriate a person to assume responsibility for continuing education courses for clinical laboratory personnel.

(4) through (5) No change.

(6) Each participant shall be provided with an authenticated certificate or letter of attendance which shall include the participant's name, license number, course title, number of contact hours earned by specialty area, dates of attendance, program provider's name, approval number, specialty area, and the signature of the provider.

Specific Authority 456.013(7), 483.805(4), 483.821 FS. Law Implemented 456.013(7), 483.821 FS. History--New 2-22-94, Amended 7-13-94, Formerly 61F3-11.003, 59O-11.003, Amended 12-13-99, 4-16-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Mandatory HIV/AIDS Education for Initial Licensure

RULE NO.:

64B3-11.005

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

SUMMARY: The Board intends to make changes for purposes of consistency.

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: 456.013(7), 483.805(4), 483.821 FS.

LAW IMPLEMENTED: 456.013(7), 483.821 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 Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.005 Mandatory HIV/AIDS Education for Initial Licensure.

Applicants for initial licensure shall complete a one ~~four~~ (4) hour HIV/AIDS continuing education course pursuant to Section 381.0034, F.S., which shall:

(1) through (3) No change.

Specific Authority 483.823 FS. Law Implemented 456.033(6), 483.823 FS. History--New 12-6-94, Amended 12-4-95, 7-1-97, Formerly 59O-11.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLES: RULE NOS.:

Application, Certification, Registration, and Licensure Fees 64B8-3.002
Renewal Fees 64B8-3.003

PURPOSE AND EFFECT: The proposed rule amendments are intended to address area of critical need licensure and the deletion of language in the rule which is no longer needed.

SUMMARY: The proposed rule amendments clarify language to address applications in the area of critical need and delete obsolete language from the rule.

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

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

SPECIFIC AUTHORITY: 456.013, 456.025, 458.309, 458.311, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.025, 456.036, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B8-3.002 Application, Certification, Registration, and Licensure Fees.

The following fees are prescribed by the Board:

(1) An application fee in the amount of \$210.00 for a person desiring to obtain the following:

(a) through (c) No change.

(d) An area of critical need license and a limited license, as provided in Sections 458.315 and 458.317, F.S. However, if the person applying for an area of critical need license or a limited license submits a notarized statement from the employing agency or institution stating that the applicant will not receive monetary compensation for any service involving the practice of medicine, the application fee shall be waived.

~~(e) As provided in Section 458.317, F.S., if the person converting a full, unrestricted license to a limited license, submits a written statement from the employing agency or institution that the applicant will not receive compensation for any service involving the practice of medicine, the application fee, all licensure fees, and neurological injury compensation assessments shall be waived.~~

(2) through (8) No change.

Specific Authority 456.013, 456.025, 458.309, 458.311, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS. Law Implemented 456.013, 456.025, 456.036, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS. History—New 12-5-79, Amended 11-10-82, 8-11-85, 10-24-85, Formerly 21M-19.02, Amended 12-4-86, 11-3-87, 7-4-88, 10-23-89, 11-12-89, 11-11-90, 1-16-91, 1-9-92, 2-10-92, 9-7-92, Formerly 21M-19.002, Amended 9-21-93, Formerly 61F6-19.002, Amended 2-13-95, 2-20-96, 6-24-96, Formerly 59R-3.002, Amended 6-7-98, 8-11-98, 11-22-98, 12-14-99, 1-31-01, _____.

64B8-3.003 Renewal Fees.

(1) No change.

(2) The following renewal fees are prescribed by the Board:

(a) Biennial renewal fee for physicians licensed pursuant to Sections 458.311, 458.3115, 458.3124, and 458.313, F.S., for physicians holding a limited license; and for physicians holding a medical faculty certificate as a distinguished medical scholar, a temporary certificate for practice in areas of critical need, a public psychiatry certificate, or a public health certificate shall be \$385.00. However the following exceptions shall apply:

1. If a physician holding an area of critical need license or a limited license submits a notarized statement from the employing agency or institution stating that the physician will not receive monetary compensation for any service involving the practice of medicine, said fee shall be waived.

2. through 4. No change.

(b) No change.

Specific Authority 456.025, 458.309(1), 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS. Law Implemented 456.025(1), 456.036(3), 458.319(1), 458.345(4) FS. History—New 12-5-79, Amended 10-24-85, Formerly 21M-19.03, Amended 12-4-86, 11-3-87, 5-24-88, 11-15-88, 11-12-89, 1-9-92, Formerly 21M-19.003, Amended 9-21-93, 4-14-94, Formerly 61F6-19.003, Amended 10-10-95, 6-24-96, 1-26-97, Formerly 59R-3.003, Amended 6-7-98, 8-11-98, 12-14-99, 10-30-01, 3-25-02, _____.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: _____ RULE NO.: _____

Approved Residency or

Fellowship; Definitions

64B8-4.004

PURPOSE AND EFFECT: The proposed rule amendment is intended to include the accrediting organizations in Canada as meeting the definition of approved training.

SUMMARY: The proposed rule amendment includes the accrediting organizations in Canada as meeting the definition of approved training.

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: 458.309, 458.311(1)(f) FS.

LAW IMPLEMENTED: 458.311(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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.004 Approved Residency or Fellowship; Definitions.

(1) An approved residency of at least one year constitutes a course of study and training in a single program for a period of not less than twelve calendar months by a person holding a degree as a medical doctor. The hospital and the program in which the medical doctor is participating must be accredited for the training and teaching of physicians by the Accreditation Council for Graduate Medical Education (ACGME), College of Family Physicians of Canada (CFPC) or Royal College of Physicians and Surgeons of Canada (RCPSC) and the medical doctor must be assigned to one of the allocated positions or slots approved by the ACGME, CFPC or RCPSC. Fellowship training or residency training in a non-slotted position shall be considered approved residency training only in the instance when the fellowship or residency training has been recognized and accepted for that applicant toward completion of requirements for specialty board certification by a specialty board listed by the American Board of Medical Specialties.

(2) An approved residency or approved fellowship of at least two years in one specialty area constitutes two progressive years in a course of study and training as long as each year is accepted by the American Board of Medical Specialties in that specialty for a period of not less than twenty-four months by a person holding a degree as a medical doctor. The hospital and the program in which the medical doctor is participating must be accredited for the training and teaching of physicians by the Accreditation Council for Graduate Medical Education (ACGME), College of Family Physicians of Canada (CFPC) or Royal College of Physicians and Surgeons of Canada (RCPSC) and the medical doctor must be assigned to one of the allocated positions or slots approved by the ACGME, CFPC or RCPSC. Fellowship training or residence training in a non-slotted position shall be considered approved residency training only in the instance when the fellowship or residency training has been recognized and accepted for that applicant toward completion of requirements for specialty board certification by a specialty board listed by the American Board of Medical Specialties.

Specific Authority 458.309, 458.311(1)(f) FS. Law Implemented 458.311(1) FS. History—New 3-31-80, Amended 11-10-82, Formerly 21M-22.04, Amended 9-7-88, 11-30-92, Formerly 21M-22.004, 61F6-22.004, Amended 11-15-94, Formerly 59R-4.004, Amended 6-15-98, 10-1-98, 7-10-01.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Continuing Education for Biennial Renewal 64B8-13.005

PURPOSE AND EFFECT: The proposed rule amendment is intended to address continuing education for performing pro bono medical services.

SUMMARY: The proposed rule amendment permits physicians to receive continuing education credit, up to 5 hours, for the performance of pro bono medical services.

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

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

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-13.005 Continuing Education for Biennial Renewal.

(1) through (9) No change.

(10) In addition to the continuing medical education credits authorized above, up to 5 hours, per biennium, of continuing education credit may be fulfilled by performing pro bono medical services. For an entity serving the indigent, underserved populations or in areas of critical need within the state where the licensee practices. The standard for determining indigency shall be low-income (no greater than 150% of the federal poverty level) or uninsured persons. Credit shall be given on an hour per hour basis.

(a) The Board approves for credit under this rule, the following entities:

1. The Department of Health;

2. Community and Migrant Health Centers funded under section 330 of the United States Public Health Service Act; and

3. Volunteer Health Care provider programs contracted to provide uncompensated care under the provisions of Section 766.1115, Florida Statutes, with the Department of Health.

(b) For services provided to an entity not specified under this rule, a licensee must apply for prior approval in order to receive credit. In the application for approval, licensees shall disclose the type, nature and extent of services to be rendered, the facility where the services will be rendered, the number of patients expected to be served, and a statement indicating that the patients to be served are indigent. If the licensee intends to provide services in underserved or critical need areas, the application shall provide a brief explanation as to those facts.

(c) Unless otherwise provided through Board order, no licensee who is subject to a disciplinary action that requires additional continuing education as a penalty, shall be permitted to use pro-bono medical services as a method of meeting the additional continuing education requirements.

(11)(10) No change.

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

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Advertising
RULE NO.: 64B8-30.011

PURPOSE AND EFFECT: The proposed rule is intended to address appropriate advertising by physician assistants.

SUMMARY: The proposed rule amendment sets forth criteria for appropriate advertising by physician assistants.

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: 458.347(13) FS.

LAW IMPLEMENTED: 458.331(1)(d) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.011 Advertising.

(1) Advertising by physician assistants is permitted so long as such information is in no way false, deceptive, or misleading.

(2) Physician assistant advertisements shall disclose the name of the primary supervising physician of the physician assistant advertising his or her services.

(3) Physician assistants may not claim any type of specialty board certification.

(4) Only physician assistants certified by the National Commission on Certification of Physician Assistants (NCCPA) may claim certification and employ the abbreviation "PA-C" next to his or her name.

(5) Failure to abide by the provisions of this rule shall constitute a violation of Sections 458.331(1)(d) and (nn) and 456.072(1)(cc), Florida Statutes.

Specific Authority 458.347(13) FS. Law Implemented 458.331(1)(d) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Physician Assistants

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Nuclear Pharmacist – Continuing Education
RULE NO.: 64B16-28.904

PURPOSE AND EFFECT: The Board proposes to clarify biennial continuing education requirements and also to update the approved providers of continuing education.

SUMMARY: The proposed amendment address the biennial requirements for license renewal, and also add approved ACPE providers for continuing education coursework.

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

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

SPECIFIC AUTHORITY: 465.0126, 465.022 FS.

LAW IMPLEMENTED: 465.0126 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: Lucy Gee, Acting Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.904 Nuclear Pharmacist – Continuing Education.

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

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

(b) No change.

(2) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

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

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

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: RULE NO.:

Permits for Hunting or Other Recreational

Use on Wildlife Management Areas 68A-9.004

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to establish a permit quota and permit fee for Relay, Ft. McCoy, Gulf Hammock, and Grove Park Wildlife Management Areas (WMAs).

SUMMARY: Proposed changes would establish the following permit quotas and fees: Relay WMA – 330 permits at \$325 each; Ft. McCoy WMA – 150 permits at \$200 each; Gulf Hammock WMA – 400 permits at \$275 each; and Grove Park WMA – 200 permits at \$325 each.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed rule action will cost the agency approximately \$150 for administrative preparation and review and \$110 for legal advertising costs.

Any person who wished 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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec 9, Fla. Const.

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

TIME AND DATES: 8:30 a.m. each day, September 3-5, 2003

PLACE: Clarion Suites Resort, 20 Via DeLuna, Pensacola, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Section 372.57(4)(b), F.S.

(a) The cost of permits as required for hunting on wildlife management areas as provided by Section 372.57(4)(b)1., F.S., shall be \$25.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by Section 372.57(4)(b)2., F.S., shall be:

1. Nassau WMA – \$197
2. San Pedro Bay WMA – \$225
3. Blue Water Creek – \$180
4. Flint Rock – \$206
5. Twelve Mile Swamp – \$425
6. Robert Brent – \$150
7. Relay – \$325
8. Ft. McCoy – \$200
9. Gulf Hammock – \$275
10. Grove Park – \$325

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to Section 372.57(4)(b)2., F.S., shall be:

1. Nassau WMA – 600
2. San Pedro Bay WMA – 355
3. Blue Water Creek – 400
4. Flint Rock – 450
5. Twelve Mile Swamp – 200
6. Robert Brent – 100

7. Relay – 3008. Ft. McCoy – 1509. Gulf Hammock – 40010. Grove Park – 200

(d) Recreational user permits required for hunting on privately owned wildlife management areas shall also authorize the permittee to engage in all activities authorized for wildlife management area permits.

(e) Recreational user permits for privately owned wildlife management areas designated herein shall be non-transferable.

(f) A recreational use permit for privately owned wildlife management areas designated herein shall be renewable for two consecutive years provided that proper application and payment is received prior to June 1.

(2) Additional stamp requirements may be promulgated for each individual wildlife management area and are set forth in Chapter 68A-15, F.A.C.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented 372.121, 372.57, 375.313 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 3-31-03,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kenneth Haddad

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 14, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 22, 2002

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE:

Quota Permits; Antlerless Deer Permits;

Special-Opportunity Permits

RULE NO.:

68A-15.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise or delete hunter quotas on wildlife management areas (WMAs). In addition, the purpose of proposed changes is to reincorporate the list of quotas by area and hunt.

SUMMARY: The proposed rule would revise the hunter quotas for Lochloosa WMA to accommodate removal of private lands. The general gun still hunt quota would be deleted, and the general gun dog hunt quota would be reduced from 300 to 100 for each hunt and would be revised to establish two quota hunt periods (the first 23 days and the 24th through the 58th days) when dog or still hunting would be permitted. The quota hunts for Ft. McCoy, Relay, and Gulf Hammock WMAs would be deleted to accommodate conversion of these privately-owned WMAs to the Recreational User Permit program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$285 for administrative preparation and \$209 for legal advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

A HEARING ON THE PROPOSED RULE WILL BE HELD AT THE TIME, DATES AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. each day, September 3-5, 2003

PLACE: Clarion Suites Resort, 20 Via DeLuna, Pensacola, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.005 Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits.

(1) During the first nine days of the general hunting season and at other times specified herein, a quota or special-opportunity permit in addition to other license, permit and stamp requirements, shall be required for any person while hunting on wildlife management areas, wildlife and environmental areas, and fish management areas or specified units thereof, identified in this rule. Those persons exempt from license requirements by Section 372.57(1), F.S., or stamp requirements by Section 372.57(4), F.S., or persons age 65 or over who have obtained a Florida lifetime hunting or lifetime sportsman's license are also exempt from quota permit requirements on all areas except those specified by "(no exemptions)" in this rule. Quota, antlerless deer and special-opportunity permits shall be in the hunter's possession and shall be displayed upon request by any Commission employee. Quota, antlerless deer, and special-opportunity permits shall be transferable, except that quota, antlerless deer, and special-opportunity permits issued to exempt persons shall be transferable only to another exempt person, and application for same, if necessary, shall be made in accordance with Rule 68A-5.005, F.A.C.

(2) The maximum number of quota and special-opportunity permits to be issued for each wildlife management area, fish management area, or wildlife and environmental area shall be maintained on a list titled "Quota and special-opportunity permits," dated September 20, 2003,

effective July 2, 2003, incorporated herein by reference and kept by the Commission at its headquarters office and regional offices.

(3) Antlerless deer permits will be issued on specified wildlife management areas or wildlife and environmental areas during such hunting seasons or portions thereof as may be ordered by the Executive Director. Estimated deer density, estimated carrying capacity of available habitat and management objectives will be considered in determining the number of antlerless deer permits to be issued. Antlerless deer permits shall be transferable. No person shall take any antlerless deer on a management area unless authorized by permit or by area regulations.

(4) No person shall sell, purchase or offer to purchase any quota permit or any antlerless deer permit.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-22-80, 12-29-80, 6-4-81, 8-4-81, 6-21-82, 7-29-82, 7-1-83, 7-5-84, 7-1-85, 9-19-85, Formerly 39-15.05, Amended 5-7-86, 6-10-86, 5-10-87, 6-8-87, 10-8-87, 4-13-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 3-30-95, 6-20-95, 8-15-95, 4-1-96, 6-27-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 11-23-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 5-13-99, Formerly 39-15.005, Amended 12-9-99, 4-30-00, 7-1-01, 8-1-01, 11-1-01, 5-13-02, 10-16-02, 5-1-03, 7-1-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kenneth D. Haddad

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 14, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 22, 2002

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Specific Regulations for Type I Wildlife
Management Areas – North Central Region

RULE NO.:

68A-15.062

PURPOSE AND EFFECT: The purpose of the proposed changes is to establish specific regulations for Lochloosa, Gulf Hammock, and Grove Park Wildlife Management Areas (WMAs). The effect would be to require recreational user permits for public access on these privately-owned WMAs.

SUMMARY: The proposed changes would establish specific rules for Grove Park WMA and revise specific rules for Lochloosa and Gulf Hammock WMAs to accommodate conversion of privately-owned lands to the Recreational User Permit Program. Proposed revisions on Gulf Hammock would restrict access to only those individuals possessing a recreational user permit, except as provided by s. 372.57, F.S., and add a 3-day muzzleloading gun season.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$275 for administrative preparation and \$375 for legal advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME AND DATES: 8:30 a.m. each day, September 3-5, 2003

PLACE: Clarion Suites Resort, 20 Via DeLuna, Pensacola, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.062 Specific Regulations for Type I Wildlife Management Areas – North Central Region.

(1) through (2) No change.

(3) Gulf Hammock Wildlife Management Area.

(a) Open season:

1. General gun – November 8 through January 4.

2. Spring turkey – March 20 through April 25.

3. Archery – September 20 through October 19.

4. Muzzleloading gun – October 31 through November 2.

4.5. Fishing and frogging – Permitted only during periods when hunting is allowed.

(b) Legal to take: All legal game, fish, frogs and furbearers. Wild hogs may not be taken after the first 23 days of general gun season.

(c) Camping: Permitted only at designated campsites during periods in which hunting is allowed.

(d) General regulations:

1. Camps may be set up beginning one day before each hunting period and shall be removed from campsites within one day following the close of each hunt period. Camping is limited to tents, trailers and self-propelled vehicles.

2. Vehicles may be operated only on established roads.

3. Public access is permitted only when hunting is allowed and on the Friday prior to archery and spring turkey season and on the consecutive Friday, Saturday, and Sunday prior to the general gun season.

4. Public access to the area is permitted only at designated entrances. Public access during periods when hunting is permitted is limited to entering the area no earlier than one hour before legal shooting hours and exiting the area no later than one hour after legal shooting hours.

5. Fires other than campfires are prohibited.

6. Access is permitted only by individuals possessing a valid recreational user permit, except as provided by s. 372.57, F.S.

(4) Lochloosa Wildlife Management Area.

(a) Open season:

1. General gun – November 8 through January 4.

2. Spring turkey – March 20 through April 25.

3. Archery – September 20 through October 19.

4. Muzzleloading gun – October 24-26.

5. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.

6. Fishing and frogging – Throughout year.

~~7. Trapping – December 1 through January 4 in the still hunt portion of the area only.~~

(b) Legal to take: All legal game, fish, frogs and furbearers. No size or bag limit on hogs.

(c) Camping: Camping allowed only by permit from the St. Johns River Water Management District, and only at the designated campsite.

(d) General regulations:

~~1. Hunting with dogs other than bird dogs is prohibited west of County Road 325 and north of County Road 2082 during general gun season.~~

~~1.2. The taking of hogs by the use of dogs is prohibited.~~

~~2.3. Vehicles are prohibited year-round in the still hunt areas west of and including Old Rail Bed Road, south of County Road 346, and north of County Road 2082. Vehicles are restricted to established roads in the remaining portion of the area. Non-motorized bicycles are permitted, but may be ridden only on established roads.~~

~~3.4. During the general gun season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is permitted except west of C.R. 325.~~

~~4.5. Taking of wildlife by use of a gun on or from the rights-of-way of County Roads 325 and 346 is prohibited as provided by Rule 68A-4.008, F.A.C.~~

~~6. Hunting with dogs is prohibited during the archery and muzzleloading gun seasons.~~

~~5.7. Fires are prohibited on the area.~~

~~6.8. Horses are permitted only during periods closed to hunting. Horses may be ridden only on established roads.~~

(5) through (33) No change.

(34) Grove Park Wildlife Management Area (Alachua County).

(a) Open season:

1. Archery – September 20 through October 19.

2. Muzzleloading gun – October 24 – 26.

3. General gun – November 8 through January 4.

4. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.

5. Trapping – December 1 through January 4.

6. Spring turkey – March 20 through April 25.

7. Fish and frogging – Throughout year.

(b) Legal to take: All legal game, fish, frogs and furbearers. No size or bag limit on hogs.

(c) Camping: Prohibited.

(d) General regulations:

1. Hunting with dogs other than bird dogs is prohibited.

2. Vehicles are prohibited year-round in the Camps Canal area, in those lands lying south of County Road 346, and in those lands lying north of County Road 2082. Vehicles are restricted to established roads in the remaining portion of the area. Non-motorized bicycles are permitted, but may be ridden only on established roads.

3. Taking of wildlife by use of a gun on or from the rights-of-way of County Roads 325, 2082, and 346 is prohibited as provided by Rule 68A-4.008, F.A.C.

4. Fires are prohibited on the area.

5. Horses are permitted only during periods closed to hunting. Horses may be ridden only on established roads.

6. Access is permitted only by individuals possessing a valid recreational user permit, except as provided by Section 372.57, F.S.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2002

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE:

RULE NO.:

Specific Regulations for Wildlife Management

Areas – Northeast Region

68A-15.065

PURPOSE AND EFFECT: The purpose of the proposed changes is to revise specific regulations for Ft. McCoy and Relay WMAs. The effect would be to require recreational user permits for public access on these privately-owned WMAs.

SUMMARY: The proposed changes would revise specific rules for Ft. McCoy and Relay WMAs to accommodate conversion of privately-owned lands to the Recreational User Permit Program. Proposed revisions would restrict access to only those individuals possessing a recreational user permit, except as provided by s. 372.57, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$275 for administrative preparation and \$375 for legal advertising. No other significant economic impacts are expected.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME AND DATES: 8:30 a.m. each day, September 3-5, 2003
PLACE: Clarion Suites Resort, 20 Via DeLuna, Pensacola, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.065 Specific Regulations for Wildlife Management Areas – Northeast Region.

(1) No change.

(2) Ft. McCoy Wildlife Management Area.

(a) Open season:

1. General gun – November 8 through January 4.

2. Small game – January 5-25.

3. Archery – September 20 through October 19.

4. Muzzleloading gun – October 24-26.

5. Spring turkey – March 20 through April 25.

6. Fishing and frogging – Permitted during periods in which hunting is allowed.

(b) Legal to take: All legal game, fish, frogs and furbearers. Wild hogs may be taken only during archery or muzzleloading gun seasons and during the first 9 days of the general gun season.

(c) Camping: Permitted during periods in which hunting is allowed at designated campsite only.

(d) General regulations:

1. Only tents, trailers or self-propelled camping vehicles may be used for camping.

2. Vehicles may be operated only on named or numbered roads.

3. Persons operating vehicles shall enter and exit only at designated entrances.

4. Hunting with dogs is prohibited, except bird dogs may be used during the small game season.

5. The area is closed to public access except during periods when hunting is allowed.

6. Taking of wildlife by use of a gun on or from rights-of-way of all paved roads or Gooski Road is prohibited as provided by Rule 68A-4.008, F.A.C.

7. The possession of center-fire rifles is prohibited during spring turkey season.

8. Access is permitted only by individuals possessing a valid recreational user permit, except as provided by Section 372.57, F.S.

(3) through (9) No change.

(10) Relay Wildlife Management Area.

(a) Open season:

1. General gun – November 8 through January 4.

2. Archery – September 20 through October 19 (Fridays, Saturdays and Sundays only).

3. Muzzleloading gun – October 24-26.

4. Small game – January 5 through February 29.

5. Spring turkey – March 20 through April 25.

6. Fishing and frogging – Permitted during periods open to hunting.

(b) Legal to take: All legal game, fish, frogs and furbearers.

(c) Camping: Permitted only during periods open to hunting except during small game season. Camping is permitted only at designated campsites by permit from The Plum Creek Timber Company.

(d) General regulations:

1. Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken.

2. Vehicles or horses may be used only on named or numbered roads.

3. The area is closed to public access except during periods when hunting is allowed.

4. Possession of centerfire rifles (other than muzzleloading) or pistols is prohibited.

5. Camping equipment may be brought onto the area only during the weekend before the archery season and during periods when hunting is allowed on the area.

6. Access is permitted only by individuals possessing a valid recreational user permit, except as provided by Section 372.57, F.S.

(11) through (35) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 375.313 FS. History—New 6-21-82, Amended 6-29-82, 7-1-83, 7-5-84, 10-1-84, 7-1-85, 5-7-86, 5-10-87, 5-1-88, 7-1-89, 12-19-89, 7-1-90, 7-1-91, 7-2-91, 7-2-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 7-1-99. Formerly 39-15.065, Amended 12-20-99, 7-1-00, 12-26-00, 7-1-01, 6-2-02, 7-28-02, 5-1-03, 7-1-03.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Mr. Kenneth D. Haddad

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: July 14, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: November 22, 2002

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Freshwater Fish and Wildlife

RULE TITLE:

Designation of Threatened Species;

Prohibitions; Permits

RULE NO.:

68A-27.004

PURPOSE AND EFFECT: The purpose of the proposed rule is to remove the red-cockaded woodpecker (*Picoides borealis*) from the list of threatened species. A separate Notice of Proposed Rule adds the red-cockaded woodpecker to the list of species of special concern.

SUMMARY: The proposed rule deletes language that listed the red-cockaded woodpecker as a threatened species.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed rule will cost the agency approximately \$185 for administrative preparation and review and \$25 for legal advertising.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec 9, Fla. Const.

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

TIME AND DATES: 8:30 a.m. each day, September 3-5, 2003

PLACE: Clarion Suites Resort, 20 Via DeLuna, Pensacola Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-27.004 Designation of Threatened Species; Prohibitions; Permits.

(1) The following species are hereby declared to be threatened, and shall be afforded the protective provisions specified.

(a) No person shall take, possess, transport, molest, harass or sell any of the threatened species included in this subsection or parts thereof or their nests or eggs except as authorized by specific permit from the Executive Director, permits being issued only for scientific or conservation purposes and only upon a showing by the applicant that the permitted activity will not have a negative impact on the survival potential of the species.

1. Crystal darter (*Ammocrypta asprella*)
2. Key silverside (*Menidia conchorum*)
3. Loggerhead sea turtle (*Caretta caretta*)
4. Blue-tailed mole skink (*Eumeces egregius lividus*)
5. Sand skink (*Neoseps reynoldsi*)
6. Big Pine Key ringneck snake (*Diadophis punctatus acricus*)
7. Miami black-headed snake (*Tantilla oolitica*)
8. Short-tailed snake (*Stilosoma extenuatum*)
9. Florida brown snake (*Storeria dekayi victa*) (lower keys population only)
10. Florida ribbon snake (*Thamnophis sauritus sackeni*) (lower keys population only)
11. Indigo snake (*Drymarchon corais couperi*)
12. Atlantic salt marsh water snake (*Nerodia fasciata taeniata*)
13. Bald eagle (*Haliaeetus leucocephalus*)
14. Southeastern kestrel (*Falco sparverius paulus*)
15. Crested caracara (*Polyborus plancus*)
16. Florida sandhill crane (*Grus canadensis pratensis*)
17. Roseate tern (*Sterna dougalli*)
18. Least tern (*Sterna albifrons*)
19. White-crowned pigeon (*Columba leucocephala*)
20. Scrub jay (*Aphelocoma coerulescens*)
- ~~21. Red-cockaded woodpecker (*Picoides borealis*)~~
- ~~21,22.~~ Snowy plover (*Charadrius alexandrinus*)
- ~~22,23.~~ Piping plover (*Charadrius melodus*)
- ~~23,24.~~ Mangrove fox squirrel (*Sciurus niger avicennia*)
- ~~24,25.~~ Florida black bear (*Ursus americanus floridanus*) (other than those found in Baker and Columbia counties or in Apalachicola National Forest or which are held in captivity under permit)
- ~~25,26.~~ Everglades mink (*Mustela vison evergladensis*)
- ~~26,27.~~ Southeastern beach mouse (*Peromyscus polionotus niveiventris*)

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 7-1-83, 7-1-85, Formerly 39-27.04, Amended 6-1-86, 5-10-87, 4-27-89, 6-23-99, Formerly 39-27.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Kenneth Haddad

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 14, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 22, 2002

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: RULE NO.:

Designation of Species of Special Concern;
Prohibitions; Permits 68A-27.005

PURPOSE AND EFFECT: The purpose of the proposed rule is to add the red-cockaded woodpecker (*Picoides borealis*) to the list of species of special concern and to implement the regulations and permit requirements recommended in the Red-cockaded Woodpecker Management Plan. A separate Notice of Proposed Rule removes the red-cockaded woodpecker from the list of threatened species.

SUMMARY: The proposed rule adds language to list the red-cockaded woodpecker as a species of special concern and adds language to continue the prohibition on take of red-cockaded woodpeckers unless permitted by the Executive Director to do so.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed rule will cost the agency approximately \$185 for administrative preparation and review and \$25 for legal advertising.

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: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec 9, Fla. Const.

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

TIME AND DATES: 8:30 a.m. each day, September 3-5, 2003

PLACE: Clarion Suites Resort, 20 Via DeLuna, Pensacola Beach, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-27.005 Designation of Species of Special Concern; Prohibitions; Permits.

(1) The following species are hereby declared to be of special concern, and shall be afforded the protective provisions specified.

(a) No person shall take, possess, transport, or sell any species of special concern included in this paragraph or parts thereof or their nests or eggs except as authorized by Commission regulations or by permit from the executive director or by statute or regulation of any other state agency, permits being issued upon reasonable conclusion that the permitted activity will not be detrimental to the survival potential of the species.

(b) The following species were listed prior to January 1, 2001, and have been further categorized by the numbers in parentheses under the following criteria: (1) has a significant vulnerability to habitat modification, environmental alteration, human disturbance, or human exploitation which, in the foreseeable future, may result in its becoming a threatened species unless appropriate protective or management techniques are initiated or maintained; (2) may already meet certain criteria for designation as a threatened species but for which conclusive data are limited or lacking; (3) may occupy such an unusually vital or essential ecological niche that should it decline significantly in numbers or distribution other species would be adversely affected to a significant degree; (4) has not sufficiently recovered from past population depletion, and (5) occurs as a population either intentionally introduced or being experimentally managed to attain specific objectives, and the species of special concern prohibitions in Rule 68A-27.002, F.A.C., shall not apply to species so designated, provided that the intentional killing, attempting to kill, possession or sale of such species is prohibited.

1. Atlantic sturgeon (*Acipenser oxyrhynchus*) (1)
2. Lake Eustis pupfish (*Cyprinodon variegatus hubbsi*) (1)
3. Saltmarsh topminnow (*Fundulus jenkinsi*) (1)
4. Rivulus (*Rivulus marmoratus*) (1)
5. Southern tessellated darter (*Etheostoma olmstedii maculaticeps*) (1)
6. Harlequin darter (*Etheostoma histrio*) (1)
7. Shoal bass (*Micropterus sp.*) (1, 2)
8. Suwannee bass (*Micropterus notius*) (1)
9. Key blenny (*Starksia starcki*) (1)
10. Gopher frog (*Rana areolata*) (1, 2)
11. Pine Barrens treefrog (*Hyla andersonii*) (1)
12. Florida bog frog (*Rana okaloosae*) (2)
13. Georgia blind salamander (*Haideotriton wallacei*) (1, 2)
14. Alligator snapping turtle (*Macrochelys temminckii*) (1)
15. Suwannee cooter (*Chrysemys concinna suwanniensis*) (1, 2)

16. Barbour's map turtle (*Graptemys barbouri*) (1, 2)
 17. Gopher tortoise (*Gopherus polyphemus*) (1, 2, 3)
 18. American alligator (*Alligator mississippiensis*) (1, 3)
 19. Florida key mole skink (*Eumeces egregius egregius*) (1)
 20. Red rat snake (*Elaphe guttata guttata*) (lower keys population only) (1)
 21. Brown pelican (*Pelecanus occidentalis*) (1)
 22. Florida pine snake (*Pituophis melanoleucus mugitus*) (2)
 23. Little blue heron (*Egretta caerulea*) (1, 4)
 24. Osprey (*Pandion haliaetus*) (Monroe County population only) (1, 2)
 25. Black skimmer (*Rynchops niger*) (1)
 26. White ibis (*Eudocimus albus*) (2)
 27. Snowy egret (*Egretta thula*) (1)
 28. Reddish egret (*Egretta rufescens*) (1, 4)
 29. Tricolored heron (*Egretta tricolor*) (1, 4)
 30. Roseate spoonbill (*Ajaia ajaja*) (1, 4)
 31. Whooping crane (*Grus americana*) (5)
 32. Limpkin (*Aramus guarauna*) (1)
 33. American oystercatcher (*Haematopus palliatus*) (1, 2)
 34. Burrowing owl (*Athene cunicularia*) (1)
 35. Marian's marsh wren (*Cistothorus palustris marianae*) (1)
 36. Worthington's marsh wren (*Cistothorus palustris griseus*) (1)
 37. Scott's seaside sparrow (*Ammodramus maritimus peninsulae*) (1)
 38. Wakulla seaside sparrow (*Ammodramus maritimus juncicolus*) (1)
 39. Sherman's fox squirrel (*Sciurus niger shermani*) (1, 2)
 40. Eastern chipmunk (*Tamias striatus*) (1)
 41. Florida mouse (*Podomys floridanus*) (1)
 42. Sherman's short-tailed shrew (*Blarina brevicauda shermanii*) (2)
 43. Homosassa shrew (*Sorex longirostris eionis*) (2)
 44. Sanibel Island rice rat (*Oryzomys palustris sanibelli*) (1, 2)
 45. Florida tree snail (*Liguus fasciatus*) (1)
 46. Bluenose shiner (*Ptreonotropis welaka*) (1, 2)
 47. Black Creek crayfish (*Procambarus pictus*) (1)
 48. Econfinia crayfish (*Procambarus econfinae*) (1)
 49. Sims Sink crayfish (*Procambarus erythropus*) (1)
 (2) The following species, listed after January 1, 2001, are hereby declared to be of special concern, and shall be afforded the protective provisions specified. No person shall directly take any Flatwoods salamander (*Ambystoma cingulatum*) or parts thereof or their eggs except as authorized by Commission rule or by permit from the executive director.
 (a) Flatwoods salamander (*Ambystoma cingulatum*)

No person shall directly take any flatwoods salamander or parts thereof or their eggs except as authorized by Commission rule or by permit from the executive director.

(b) Red-cockaded woodpecker (*Picoides borealis*)

No person shall take, harass, possess, sell, or transport any red-cockaded woodpecker or parts thereof or their eggs or their nests or dens except as authorized by permit from the executive director. Permits will be issued based upon whether issuance would further management plan goals and objectives.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 6-22-80, 6-21-82, 7-1-84, 7-1-85, Formerly 39-27.05, Amended 6-1-86, 5-10-87, 4-27-89, 10-22-92, 5-26-94, 6-23-99, Formerly 39-27.005, Amended 2-27-01, 5-1-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth Haddad

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2002

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:
5J-8.003 Registration

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amended rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 28, No. 41, which is the October 11, 2002 issue of the Florida Administrative Weekly. The changes are in response to comments received from staff at the Joint Administrative Procedures Committee.

The changes are as follows:

1) In Rule 5J-8.003, F.A.C., subsection (1), the first sentence is amended to read:

(1) "Any person who intends to open or operate as a dance studio shall, prior to engaging in such activity, register with the Department using ~~f~~Form DACS 10700, Dance Studio Registration, effective March 22, 1993, revised June 23, 1994, and November 18, 2002, hereby incorporated by reference."

2) Rule 5J-8.003, F.A.C., subsections (2) and (3) are deleted.

~~(2) For the purpose of Section 501.143(4), Florida Statutes, and these rules, a "contract for ballroom dance studio services or lessons" shall not include:~~

~~(a) A single contract sold by a ballroom dance studio for a duration of seven (7) calendar days or less to any customer without any option for renewal or any other condition which establishes any right in the term;~~

~~(b) Which requires an advance payment of \$250 or less; and~~

~~(c) Which does not require the customer to provide payments in installments.~~

~~(3) In the event a contract for ballroom dance studio lessons or services meets the requirements of subsection (2) above, the contract need not be in writing.~~

Specific Authority 501.143(12) FS. Law Implemented 501.143(3),(4),(5) FS. History—New 3-22-93, Amended 6-23-94, 5-24-95, 2-11-98, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dee Keck, Regulatory Program Administrator, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3679

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

Florida Real Estate Appraisal Board

RULE NO.: 61J1-2.005
RULE TITLE: Inactive Registration

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as notice in Vol. 28, No. 41, October 11, 2002 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NOS.: 61J1-3.001
RULE TITLES: Application by Individuals
61J1-3.002 Where to Apply

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as notice in Vol. 28, No. 41, October 11, 2002 issue of the Florida Administrative Weekly have been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.005
RULE TITLE: Notice of Satisfactory Course Completion

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as notice in Vol. 28, No. 41, October 11, 2002 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-6.001
RULE TITLE: Experience Requirement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as notice in Vol. 28, No. 47, November 22, 2002 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NOS.: 61J1-7.004
RULE TITLES: Office
61J1-7.005 Temporary Practice

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 28, No. 41, October 11, 2002, Vol. 28, No. 43, October 25, 2002 and Vol. 28, No. 46, November 15, 2002 issue of the Florida Administrative Weekly have been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

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

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. 8, of the February 21, 2003 issue of the Florida Administrative Weekly. The Rules Committee of the Board held a public hearings on this rule on June 5, 2003, in Miami Florida, and on July 11,

2003, in Tampa, Florida. The Board, at its meeting on July 12, 2003, in Tampa, Florida agreed to make changes to the proposed rule. When changed, the rule shall read as follows:

(1) Prescribing medications based solely on an electronic medical questionnaire constitutes the failure to practice medicine with that level of care, skill, and treatment which is recognized by reasonably prudent physicians as being acceptable under similar conditions and circumstances, as well as prescribing legend drugs other than in the course of a physician's professional practice.

(2) Physicians and physician assistants shall not provide treatment recommendations, including issuing a prescription, via electronic or other means, unless the following elements have been met:

(a) A documented patient evaluation, including history and physical examination to establish the diagnosis for which any legend drug is prescribed.

(b) Discussion between the physician or the physician assistant and the patient regarding treatment options and the risks and benefits of treatment.

(c) Maintenance of contemporaneous medical records meeting the requirements of Rule 64B8-9.003, F.A.C.

(3) The provisions of this rule are not applicable in an emergency situation. For purposes of this rule an emergency situation means those situations in which the prescribing physician or physician assistant determines that the immediate administration of the medication is necessary for the proper treatment of the patient, and that it is not reasonably possible for the prescribing physician or physician assistant to comply with the provision of this rule prior to providing such prescription.

(4) The provisions of this rule shall not be construed to prohibit patient care in consultation with another physician who has an ongoing relationship with the patient, and who has agreed to supervise the patient's treatment, including the use of any prescribed medications, nor on-call or cross-coverage situations in which the physician has access to patient records.

(5) For purposes of this rule, the term "telemedicine" shall include, but is not limited to, prescribing legend drugs to patients through the following modes of communication.

- (a) Internet;
- (b) Telephone;
- (c) Facsimile.

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NOS.: RULE TITLES:

64F-19.001 Definitions

64F-19.002 Procedure

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 28, No. 47, November 22, 2002, Florida Administrative Weekly have been withdrawn.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

Instant Game Number 492, SILVER & GOLD 53ER03-37

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 492, "SILVER & GOLD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-37 Instant Game Number 492, SILVER & GOLD.

(1) Name of Game. Instant Game Number 492, "SILVER & GOLD."

(2) Price. SILVER & GOLD lottery tickets sell for \$2.00 per ticket.

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

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

INSERT SYMBOLS

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any of the numbers in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to ten sets of matching numbers. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$1,000, and \$10,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or any combination of instant and on-line tickets that totals \$2.00, except as follows. A person who submits by mail a SILVER & GOLD lottery ticket that entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

\$\$

(b) A ticket having a "DOUBLE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the corresponding prize shown.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 492 are as follows:

GAME PLAY TICKET	WIN \$2 TICKET	ODDS OF 1 IN	NUMBER OF WINNERS IN 28 POOLS OF 180,000 TICKETS PER POOL
\$2 ("\$\$" SYMBOL)	\$2	18.75	268,800
\$1 + (\$2 x 2)	\$4	15.00	336,000
\$5	\$4	21.43	235,200
\$5	\$5	37.50	134,400
\$1 + (\$2 x 2) + \$5	\$10	37.50	134,400
\$5 ("\$\$" SYMBOL)	\$10	75.00	67,200
\$10	\$10	75.00	67,200
\$5 x 5	\$25	150.00	33,600
(\$5 x 2) + (\$10 x 4)	\$50	150.00	33,600
\$25 ("\$\$" SYMBOL)	\$50	1,800.00	2,800
\$50	\$50	1,800.00	2,800
\$10 x 10	\$100	450.00	11,200
\$50 ("\$\$" SYMBOL)	\$100	60,000.00	84
\$100	\$100	90,000.00	56
\$100 ("\$\$" SYMBOL)	\$200	90,000.00	56
\$100 x 10	\$200	201,600.00	25
\$1,000	\$1,000	504,000.00	10
\$1,000 x 10	\$1,000	1,008,000.00	5
\$10,000	\$10,000	2,520,000.00	2
\$10,000	\$10,000	2,520,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 492 are 1 in 3.80. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 492, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a SILVER & GOLD lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

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

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 7-11-03.

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

EFFECTIVE DATE: July 11, 2003

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

Instant Game Number 493, DOMINO DOLLARS 53ER03-38

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 493, "DOMINO DOLLARS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-38 Instant Game Number 493, DOMINO DOLLARS.

(1) Name of Game. Instant Game Number 493, "DOMINO DOLLARS."

(2) Price. DOMINO DOLLARS lottery tickets sell for \$1.00 per ticket.

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

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

INSERT SYMBOLS

(5) The "LUCKY DOMINO" play symbols and play symbol captions are as follows:

INSERT SYMBOLS

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

INSERT SYMBOLS

(7) The legends are as follows:

INSERT SYMBOLS

(8) Determination of Prizewinners.

A ticket having a domino in the "YOUR DOMINOES" play area that matches the domino in the "LUCKY DOMINO" play area shall entitle the claimant to the corresponding prize shown for that domino. A ticket may have up to five sets of matching dominoes. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$250, \$500, and \$5,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a DOMINO DOLLARS lottery ticket that entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 493 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$1 TICKET	10.00	1,008,000
\$1	\$1	15.00	672,000
\$1 x 2	\$2	42.86	235,200
\$2	\$2	42.86	235,200
\$2 x 2	\$4	75.00	134,400
\$5	\$5	60.00	168,000
\$2 x 5	\$10	300.00	33,600
\$10	\$10	300.00	33,600
\$5 x 4	\$20	600.00	16,800
\$20	\$20	600.00	16,800
\$5 x 5	\$25	444.44	22,680
\$10 x 5	\$50	2,400.00	4,200
\$25 x 2	\$50	14,400.00	700
\$50	\$50	14,400.00	700
\$100	\$100	50,400.00	200
\$50 x 5	\$250	134,400.00	75
\$250	\$250	403,200.00	25
\$100 x 5	\$500	504,000.00	20
\$500	\$500	840,000.00	12
\$5,000	\$5,000	2,520,000.00	4

(10) The estimated overall odds of winning some prize in Instant Game Number 493 are 1 in 3.90. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 493, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a DOMINO DOLLARS lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for DOMINO DOLLARS lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of

the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 7-11-03.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: July 11, 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 in response to the request received on May 5, 2003, from the Town of Welaka. The petitioner sought a waiver of Rule 9B-43.004, Fla. Admin. Code.

A copy of the Denial of Petition, which was assigned the number DCA03-WAI-111, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on July 11, 2003, South Florida Water Management District (District) received a petition for waiver from Bruce A. Kirby, Application No. 03-0501-3, for utilization of Works or Lands of the District known as the Golden Gate Main Canal, Collier County for the proposed construction of a boat dock within the north right of way of the Golden Gate Main Canal at the rear of 3241 German Woods Court, Naples, FL, Collier County, Section 29, Township 49 South, Range 26 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which requires that the low member elevation of all pile-supported docking facilities be a minimum of 2 feet above the Design Water Surface or Optimum Water Elevation, whichever produces the higher low member elevation within Works or Lands of the District.

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

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

DEPARTMENT OF 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 Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling hereby gives notice that it has received a petition for temporary waiver filed on July 9, 2003 by Elizabeth M. Bourne, seeking a waiver from paragraph 64B4-3.003(3)(b), F.A.C., with regard to the requirement for completion of the national examination for mental health counseling.

Comments on this petition should be filed with Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, at above address or telephone (850)245-4444.

The Board of Orthotists and Prosthetists hereby gives notice that it received a petition filed on July 9, 2003, from Damian Hurtado, by and through his attorney, Lawrence R. Metsch, seeking a variance or waiver of paragraph 64B14-4.110(1)(b), Florida Administrative Code, with respect to licensure requirements as an orthotic fitter assistant for two (2) years prior to licensure as an orthotic fitter.

Comments on this petition should be filed with the Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Tallahassee, Florida .

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

NOTICE IS HEREBY GIVEN that on June 16, 2003 the Department of Health received a Petition for Permanent Waiver from subsection 64E-16.007(4) Table 1, 5, Florida Administrative Code, from Gary Urbanowicz on behalf of Condor Healthcare Services, LLC. That rule requires alternative treatment processes to document efficacy of a minimum Log 6 kill of poliovirus or similar organisms. The Petition indicates that Condor Healthcare Services, LLC is the manufacturer of the Condor Medical Waste Treatment System and is the successor to Winfield Industries and WESCO.

Comments on this Petition should be filed with Sam Power, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition may be obtained from: Edith Coulter, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277, Extension 2335.

NOTICE IS HEREBY GIVEN that on June 16, 2003, the Department of Health received a Petition for Permanent Waiver from subsection 64E-15.004(5), Florida Administrative Code, from Scott Krueger on behalf of the Crystal River RV Park. That rule requires recreational vehicle parks to provide at least one easily accessible sanitary dump station for the use of occupants or patrons. The Petition indicates that Crystal Lake RV Park is a 60-lot recreational vehicle located in Scottsmeer, Florida.

Comments on this Petition should be filed with Sam Power, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition may be obtained from: Leslie Harris, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4271.

Section VI Notices of Meetings, Workshops and Public Hearings

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

State Board of Administration
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue

Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection

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

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

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

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

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

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative

procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

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

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

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

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

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

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

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

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

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

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Department of State** announces a public meeting of the Florida State Historical Records Advisory Board which all interested persons are invited:

DATES AND TIMES: August 21, 2003, 10:00 a.m. – 4:00 p.m.; August 22, 2003, 9:00 a.m. – 12:00 Noon

PLACE: 500 South Bronough St., R. A. Gray Building, Room 307, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: August 21, 2003 the State Historical Records Advisory Board will meet with other archivists and record custodians to discuss the Board's "Disaster Preparedness" Training Grant. August 22, 2003 the State Historical Records Advisory Board will discuss the board's strategic plan.

For further information contact: Mr. Jim Berberich, Coordinator, Florida State Historical Records Advisory Board, Department of State, Bureau of Archives and Records Management, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6700, Suncom 205-6700.

Pursuant to Chapter 286.26, Florida Statutes, any persons requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF LEGAL AFFAIRS

The Ad Hoc Committee to Review State Commissions on the Status of Women of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

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

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

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

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

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

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

DATE AND TIME: Wednesday, August 6, 2003, 10:00 a.m.

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

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

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

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Honeybee Technical Council** announces a public meeting to which all persons are invited:

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

PLACE: Doyle Conner Building, Auditorium, 1911 Southwest 34th Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda items:

1. African Bee Issues
 - Identification
 - Removal problems
2. Varroa Mites
 - Resistance
 - Thymol progress
3. American Foulbrood Issues
 - Resistance
 - Tylosen status
4. Laurence Cutts Retirement
5. Other Issues

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by August 5, 2003.

A copy of the agenda may be obtained by writing: Mr. Laurence Cutts, Secretary, Honeybee Technical Council, Division of Plant Industry, Post Office Box 147100, Gainesville, Florida 32614-7100, (352)372-3505.

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

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

PLACE: Division of Forestry, State Office Headquarters, 3125 Conner Blvd, Tallahassee, Florida

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

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

DEPARTMENT OF EDUCATION

NOTICE OF CORRECTION – Notice is hereby given that the meeting of the State **Board of Education** to be held on August 19, 2003, has been changed from 325 West Gaines Street, Tallahassee, Florida, to Florida International University, Graham Center, Miami, Florida. Included on the agenda are proposed rules 6A-1.09941, State Uniform Transfer of High School Credits and 6A-10.024, Articulation Between Universities, Community Colleges, and School Districts, as advertised in Vol. 29, No. 29, July 18, 2003, issue of the Florida Administrative Weekly.

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

Teacher Hearing Panel

DATES AND TIME: August 14-15, 2003, 9:00 a.m.

PLACE: The Adam's Mark Hotel/Orlando, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

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

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

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

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

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Thursday, July 31, 2003, 1:00 p.m.

PLACE: Boca Raton Campus, Board of Trustees Room, Kenneth R. Williams Administration Bldg., 777 Glades Road, Boca Raton, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Academic and Student Affairs.

A copy of the agenda may be obtained by contacting: Dr. Anthony Lombardo, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-4030

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD, (561)297-2130.

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Thursday, July 31, 2003, 3:00 p.m.

PLACE: Boca Raton Campus, Board of Trustees Room, Kenneth R. Williams Administration Bldg., 777 Glades Road, Boca Raton, Florida 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit and Finance.

A copy of the agenda may be obtained by contacting: Dr. Anthony Lombardo, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-4030

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least

48 hours before the meeting by contacting: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD, (561)297-2130.

The **Florida Atlantic University**, Florida Art in State Buildings Program, announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: August 7, 2003, 10:00 a.m. – 4:00 p.m.

PLACE: Florida Atlantic University/Florida's Art in State Buildings Program, FAU/IRCC, Port St. Lucie Campus, JU #319, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Finalist Presentation meeting to review three chosen Finalists for Florida's Art in State Buildings Program, BR-608 FAU/IRCC

For more information or to obtain a copy of the agenda, please contact: Patty Singer, Program Administrator for Florida's Art in State Buildings Program, Florida Atlantic University, 777 Glades Road, AD Bldg., Rm 392, Boca Raton, Florida 33431, (561)297-1064, (561)297-2539.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Florida's Art in State Buildings Program. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Patty Singer, (561)297-1064, (561)297-2539. If you are hearing or speech impaired, please contact the agency by calling TT 1(800)955-8770.

The **Florida Institute of Phosphate Research** announces a meeting of the Board of Directors to which all persons are invited.

DATE AND TIME: Friday, July 25, 2003, 9:00 a.m.

PLACE: Southwest Florida Water Management District, West Wing, 170 Century Drive, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider funding of research proposals, a draft review of FIPR's new 5 year strategic plan and other business pertaining to the operation of the Institute.

A copy of the minutes of the April 22, 2003, Board meeting may be obtained by writing: Dr. Paul R. Clifford, Executive Director, Florida Institute of Phosphate Research, 1855 West Main Street, Bartow, Florida 33830.

A copy of the 5 year strategic plan will also be posted on the FIPR web site at www.fipr.state.fl.us.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces the following telephonic meeting to which all persons are invited.

DATE AND TIME: August 4, 2003, 10:00 a.m. (The meeting can be accessed by dialing (850)410-0967 or Suncom 210-0967)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review, consider and approve a Final Order in TRG-Aquazul, Ltd., and Alfonso Fernandez-Fraga v. Broward County Board of Commissioners, The Broward County Board of Rules and Appeals, DOAH Case #03-1524BC.

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 Ila Jones, Department of Community Affairs, (850)487-1824, at least two days before the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

DATE AND TIME: August 6, 2003, 9:00 a.m. – 4:30 p.m.

PLACE: The Kelley Training Center, Sadowski Building, 3rd Floor, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The advisory council will review the FY 2004 Community Service Block Grant State Plan and follow up on proposed changes to the Community Development Block Grant Program.

A copy of the agenda may be obtained by writing: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; calling (850)487-3644; e-mail judy.peacock@dca.state.fl.us susan.lawrence@dca.state.fl.us.

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

DEPARTMENT OF TRANSPORTATION

The **Secure Airports for Florida Economy Council** announces a public Council meeting to which all persons are invited.

DATE AND TIME: Saturday, August 3, 2003, 1:00 p.m. – conclusion

PLACE: Marriott-Harbor Beach Resort and Spa, 3030 Holiday Drive, Fort Lauderdale, FL 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Organizational session and to conduct Secure Airports for Florida Economy Council business.

Information may be obtained by contacting: Tom Duncan, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4500.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the Council at least 48 hours before the meetings by contacting: Tom Duncan, (850)414-4500.

The **Jacksonville Transportation Authority** in cooperation with the Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: August 14, 2003, 5:30 p.m.

PLACE: Oceanway Community Center, 11215 Sago Avenue, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID 209268-2-58-01 and Federal Aid Project ID 72250; otherwise known as Heckscher Drive (SR 105) Phase II widening improvements in Jacksonville, Duval County, Florida. The Jacksonville Transportation Authority is recommending widening Heckscher Drive from Drummond Point to August Drive to a four-lane divided facility with bike lanes on both sides and a sidewalk on the south side of the road and improvements at the Heckscher Drive/Eastport Road

intersection. The project also includes the replacement of the Broward River and the Dunn Creek bridges. Additional right-of-way will be required.

Anyone needing project or public hearing information, or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call telephone number (904)630-3181. Special accommodations requested 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: Mr. Hamid Tabassian, P.E., Project Manager, Jacksonville Transportation Authority, P. O. Drawer "O", Jacksonville, Florida 32203.

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

DATE AND TIME: August 21, 2003, 7:00 p.m.

PLACE: Venice Community Center, 326 S. Nokomis Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design; and social, economic, and environmental effects of the proposed widening of Interstate 75 (I-75) from North River Road to SR 861 (Venice Connector) and the interchanges at River Road, Jacaranda Boulevard, Laurel Road, and SR 681 (Venice Connector) in Sarasota County, Florida; Financial Project ID Number: 406314-1-22-01, Federal Project ID: 0756-096-I.

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call: Mr. Scott McCall, 1(800)292-3368.

Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. Scott McCall, Project Manager, Florida Department of Transportation District One, Post Office Box 1249, Bartow, Florida 33831.

The Florida **High Speed Rail Authority** announces a public workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 6, 2003, 9:00 a.m. – 12:00 Noon

PLACE: Greater Orlando Aviation Authority, Executive Offices, 3rd Level Board Room, One Airport Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop on the Preliminary Engineering and Environmental Assessment and the Draft Environmental Impact Statement (DEIS) for the Orlando-Tampa project.

Information may be obtained by contacting: Nazih Haddad, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4500.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the Authority at least 48 hours before the meetings by contacting: Betty Sizemore, (850)414-5244.

The Florida **High Speed Rail Authority** announces a public Authority Board meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 6, 2003, 1:00 p.m. – conclusion

PLACE: Greater Orlando Aviation Authority, Executive Offices, 3rd Level Board Room, One Airport Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Florida High Speed Rail Authority business.

Information may be obtained by contacting: Nazih Haddad, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4500.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the Authority at least 48 hours before the meetings by contacting: Betty Sizemore, (850)414-5244.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

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

DATES AND TIMES: Wednesday, August 6, 2003, 1:30 p.m.; Thursday, August 7, 2003, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: There will be a meeting to discuss the History/Development/Implementation of the MROC, an Update on Activities of the MROC and funding sources, Proposed Research Priorities of the MROC, Coordination between MROC and MRAC, MRAC Procedures and Protocol, Review of Past and Current

Research, Opportunities and Challengers, Proposed Research Projects, and any other matters that might properly come before the committee.

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

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

UNDOCKETED MATTER: Review of ten-year site plans of electric utilities.

DATE AND TIME: Wednesday, August 6, 2003, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to afford an opportunity for public comment on the ten-year site plans submitted by Florida's electric utilities. At the workshop, the utilities will describe their plans, the key assumptions underlying the plans, and the impact of demand-side management goals on the plans. The Florida Reliability Coordinating Council will present the Peninsular Florida Load and Resource Plan and the Peninsular Florida Reliability Assessment.

A copy of the agenda for this workshop may be obtained by writing: Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person with questions concerning this workshop should contact: Michael Haff, (850)413-6684.

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

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

TITLE: WORKSHOP ON INDIVIDUAL METERING OF MID- AND HIGH-RISE BUILDINGS

DATE AND TIME: August 7, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: City Council Chambers, Orlando City Hall, One City Commons, 400 South Orange Ave., 2nd Floor, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss whether it is beneficial to require individual water metering of mid- and high-rise buildings on a statewide scale.

A copy of the agenda for this workshop may be obtained by writing: Director, Division of the Commission Clerk and Administrative Services, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or calling Shannon Hudson, (850)413-7021.

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

The Florida **Public Service Commission** announces a hearing to be held in the following dockets, to which all interested persons are invited.

Docket No. 981834-TP – Petition of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory.

Docket No. 990321-TP – Petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation.

DATES AND TIME: August 11-12, 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 of Competitive Carriers for Commission action to support local competition in BellSouth Telecommunications, Inc.'s service territory and the petition of ACI Corp. d/b/a Accelerated Connections, Inc. for generic investigation to ensure that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and GTE Florida Incorporated comply with obligation to provide alternative local exchange carriers with flexible, timely, and cost-efficient physical collocation, 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 14, 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).

REGIONAL PLANNING COUNCILS

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

MEETING: North Central Florida, District 3, Local Emergency Planning Committee

DATE AND TIME: August 15, 2003, 9:30 a.m.

PLACE: Progress Corporate Park, 13709 Progress Boulevard, Alachua, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Local Emergency Planning Committee.

MEETING: North Central Florida Regional Hazardous Materials Response Team Policy Board

DATE AND TIME: August 15, 2003, 1:15 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Hazardous Materials Response Team.

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

Any persons deciding to appeal any decision with respect to any matter considered at the meetings may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 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 **Northeast Florida Regional Planning Council**, Personnel, Program Planning and Budget Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, August 7, 2003, 9:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, program planning and budget matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** Comprehensive and Project Planning Committee announces the following public meetings to which all persons are invited:

DATE AND TIME: Thursday, August 7, 2003, 9:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending comprehensive and project planning items.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council**, Transportation Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, August 7, 2003, 9:00 a.m.

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending transportation issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council** announces the following public meeting to which all persons are invited:

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

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

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

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call: Peggy Conrad, (904)279-0880, Extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Central Florida Regional Planning Council** will hold its public meeting and the Council's Executive Committee meeting, to which all persons are invited:

DATE AND TIME: Wednesday, August 13, 2003, 9:30 a.m.

PLACE: Highlands County Health Department, Conference Room, 7205 South Gorge Blvd., Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting of the Council and the Executive Committee.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **South Florida Regional Planning Council** announces a public meeting of the State Road 7/US 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, August 7, 2003, 2:00 p.m. – 4:00 p.m.

PLACE: City of Lauderhill, City Hall Multipurpose Room, 2000 City Hall Drive, Lauderhill, FL 33313

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the State Road 7/U.S. 441 Collaborative Steering Committee to continue deliberations on future actions.

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 State Road 7/U.S. 441 Collaborative Steering Committee 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.

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.

REGIONAL TRANSPORTATION AUTHORITIES

The **Hillsborough Area Regional Transit Authority (HART)** announces the following public meetings of the Governing Board of the Authority to which all persons are invited:

Public Hearing

DATE AND TIME: August 4, 2003, 8:30 a.m.

PLACE: County Center, 601 E. Kennedy Boulevard, Planning Commission Board Room, 18th Floor, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Board Meeting.

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Call to order; 2. Approval of Minutes; 3. Introductions, Recognition and Awards; 4. Consumer Advisory Committee Report; 5. Public Comment on Action Items; 6. Consent Action Items; 7. Other Action Items; 8. Chairman's Report; 9. Reports from HART Representatives; 10. HART Committee Reports; 11. Other Board Member's Report; 12. Executive Director's Report; 13. Employee Comment; 14. General Public Comment; 15. Discussion and Presentations; 16. Monthly Information Reports; 17. Other Information Items; 18. Other Business.

A copy of the detailed agenda may be obtained by contacting: Mary Staples, Administrative Assistant II, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 900, Tampa, FL 33602, (813)223-6831, Ext. 2111.

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

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Lauren Skiver, (813)623-5835, at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority, (813)626-9158 (TTD).

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces the following public meeting, which may be attended by one or more Governing Board members, to which all persons are invited:

RECEPTION

DATE AND TIME: Monday, August 11, 2003, 2:00 p.m.

PLACE: St. Johns River Water Management District, 4049 Reid Street, Hwy. 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Retirement reception for John R. Wehle, Assistant Executive Director

DINNER

DATE AND TIME: Monday, August 11, 2003, 6:00 p.m.

PLACE: Outback Crab Shack & Six Mile Marina & Restaurant, 8155 County Road 13, North, St. Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Retirement dinner for John R. Wehle, Assistant Executive Director.

For additional information, call: Ann Freeman, St. Johns River Water Management District, (386)329-4101 or email: afreeman@sjrwmd.com.

The **St. Johns River Water Management District** (SJRWMD) announces the following public meetings and hearings, which may be conducted by means of or in conjunction with communications technology, to which all persons are invited.

MEETING OF GOVERNING BOARD CHAIR AND COMMITTEE CHAIRS

DATE AND TIME: Tuesday, August 12, 2003, 8:15 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE AND ADMINISTRATION COMMITTEE MEETING

DATE AND TIME: Tuesday, August 12, 2003, 8:45 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion of Finance, Facilities/Planning/Construction, Information Technology, and Personnel agenda items followed by committee recommendations to be approved by the full Governing Board. Staff will recommend approval of external budget amendments which affect the adopted FY2002-2003 budget.

REGULATORY COMMITTEE MEETING

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

PLACE: Roy E. Campbell Civic Center, Ravine Gardens State Park, 1600 Twigg Street, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD/REGULATORY MEETING AND PUBLIC HEARING ON LAND ACQUISITION

DATE AND TIME: Tuesday, August 12, 2003, 1:30 p.m.

PLACE: Roy E. Campbell Civic Center, Ravine Gardens State Park, 1600 Twigg Street, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion and consideration of District business including regulatory and non-regulatory matters.

GOVERNING BOARD/REGULATORY MEETING

DATE AND TIME: Wednesday, August 13, 2003, 9:00 a.m.
(Please note August 13 meeting may be cancelled if all items completed on August 12)

PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion and consideration of District business including regulatory and non-regulatory matters.

NOTE: In the event of a declared emergency or emergency conditions, all or part of these meetings may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained at the SJRWMD website (www.sjrwmd.com) or by writing: SJRWMD, P. O. Box 1429, Palatka, FL 32178-1429.

Any item which appears on the agenda for the Governing Board, Regulatory, and/or Committee meetings may be considered on day one or day two. Day two may be cancelled if all items are completed on day one. The order of items appearing on the agenda is subject to change during the meetings.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting: Ann Freeman, (386)329-4101. If you are hearing or speech impaired, please contact the District by calling (386)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

AGRICULTURAL ADVISORY COMMITTEE

DATE AND TIME: Tuesday, August 5, 2003, 4:00 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GREEN INDUSTRY ADVISORY COMMITTEE

DATE AND TIME: Thursday, August 7, 2003, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community and Legislative Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disability Act (ADA) should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** will hold two public workshop information sessions to assist seasonal-crop permittees with the completion of these forms at the Sarasota and Tampa Service Offices. There will be one live presentation and one simulcast presentation in each office as follows:

DATE AND TIME: Monday, August 11, 2003, 2:00 p.m. – 4:00 p.m.

PLACE: Sarasota Service Office Board Room

With a simulcast showing in the Tampa Service Office Board Room

DATE AND TIME: Monday, August 11, 2003, 6:00 p.m. – 7:00 p.m.*

PLACE: Tampa Service Office Board Room

With a simulcast showing in the Sarasota Service Office Board Room

* Staff will stay later if there are permittees to assist.

The Winter/Spring Seasonal Irrigation Water Use Forms (a.k.a. Crop Reports) that are included with this mailing are due to be returned to the District by September 1, 2003. To assist you, District staff will give a short presentation on the Seasonal Forms that will be followed by questions and answers and one-on-one assistance. Water Use Regulation staff will be available at the live presentations and both of the simulcasts. Addresses are below:

Tampa Service Office	Sarasota Service Office
7601 Highway 301 North	6750 Fruitville Road
Tampa, Florida 33637	Sarasota, Florida 34240
(813)985-7481 or	(941)344-3722 or
1(800)836-0797 (FL only)	1(800)320-3503 (FL only)

The **Southwest Florida Water Management District** announces the following public hearing to which all interested persons are invited:

DATES AND TIME: August 26, 2003, 9:00 a.m. and may be continued until August 27, 2003, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands eligible to be considered for funding from the Florida Forever Trust Fund which lands are further described as follows:

Part of the Tampa Bay Estuarine Ecosystem Project comprised of one parcel referred to as SWF Parcel No. 21-728-119 consisting of approximately 27 acres, lying in Section 24, Township 32 South, Range 17 East, located east of Bishop Harbor Road and north of Frog Creek in Manatee County, Florida; and

Part of the Bright Hour Watershed Project comprised of two parcels referred to as SWF Parcel Nos. 20-780-103C and 20-780-104C to be acquired by conservation easements consisting of approximately 20,000 acres. The parcels are located in Charlotte and DeSoto Counties, Florida, in Sections 13, 14, 15, 16, 22, 23, 24, 25, 26, 34, 35, 36, Township 39 South, Range 27 East and Sections 1, 2, 3, 9, 10, 11, 12, Township 40 South, Range 27 East and Sections 4,5, 6, 7,8, 9, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 32, 33, 34, Township 39 South, Range 27 East; and

Part of the Long Island Marsh Project comprised of one parcel referred to SWF Parcel No. 20-648-101 consisting of approximately 7,000 acres located in Charlotte and DeSoto Counties, Florida in Sections 24, 25, 35, 36, Township 39 South, Range 26 East; Sections 30, 31, 32, Township 39 South, Range 27 East; Sections 1 and 2, Township 40 South, Range 26 East; and Sections 4,5, 6, 7, 8, 9, 17, Township 40 South, Range 27 East; and

Part of the Upper Peace River Corridor Project comprised of one parcel referred to as SWF Parcel No. 20-502-105 consisting of approximately 1,160 acres. The parcel is located on the south side of County Road 640, east of and adjacent to the Peace River and lies within portions of Sections 1, 2, 11, 12, 13 and 14, Township 31 South, Range 25 East in Polk County, Florida.

Part of the Weekiwachee Preserve Project to be donated comprised of one parcel referred to as SWF Parcel No. 15-773-188 consisting of approximately 700 acres, located west of U.S. 19 and lying in a portion of Sections 14, 15, 16, 21, 24, Township 24 South, Range 16 East in Pasco County, Florida.

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the above address.

The District does not discriminate based on disability status. Anyone requiring reasonable accommodations under the ADA should call 1(800)423-1476 (Florida only), Extension 4452, Fax (352)754-6877, TDD ONLY 1(800)231-6103.

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

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

PLACE: South Florida Water Management District Lower West Coast Regional Service Center, 2301 McGregor Boulevard, Fort Myers, FL 33901 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Land Resources Committee meeting to discuss acquisition and operational issues.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

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

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

DATES AND TIMES: Wednesday, August 13, 2003, 9:00 a.m. – completed; Thursday, August 14, 2003, 8:30 a.m. – completed

PLACE: B-1 Auditorium, 3301 Gun Club Road, West Palm Beach Florida, 33406. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board Workshop/Meeting/Audit Committee/Human Resources Committee to discuss and consider District business including regulatory and non-regulatory matters.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

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

The South Florida Water Management District announces a private closed door attorney-client session:

DATES AND TIMES: Wednesday, August 13, 2003, 9:00 a.m. – completed; Thursday, August 14, 2003, 8:30 a.m. – completed

PLACE: B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2001) to discuss strategy related to litigation expenditures in *United States of America v. South Florida Water Management District et al*, United States District Court, Southern District of Florida, Case No. 88-1886-Civ-Hoeveler. The subject matter shall be confined to the pending litigation.

ATTENDEES: Governing Board Members I. Bague, P. Brooks-Thomas, M. Collins, H. English, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, T. Williams; Executive Director H. Dean; District attorneys S. Wood, S. Glazier, D. MacLaughlin, S. Echemendia, M. Dorta, B. Auger, and K. Burns.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained: (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Issues Workshop on The Upper East Coast Regional Water Supply Plan.

PLACE: City of Stuart, City Hall, 121 S. W. Flagler Avenue, Stuart, Florida 34994

Information regarding the existing Upper East Coast Water Supply Plan can be found at <http://www.sfwmd.gov/org/wsd/wsp/uecwsp.htm>.

A copy of the agenda may be obtained at the District Website seven (7) days prior to the meeting at (<http://www.sfwmd.gov/gover/wrac/agendas.html>) or by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Paula Moree, Deputy District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact: Sharon Fowler, Senior Planner, Water Supply Planning and Development Division, (561)682-6155 or email: sfowler@sfwmd.gov or Paula Moree, District Clerk's Office, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6447.

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

DATE AND TIME: August 13, 2003 and/or August 14, 2003, 8:50 a.m.

PLACE: The South Florida Water Management Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Acquisition of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan which lands are further described as follows:

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary

for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Ruth Clements, Deputy Department Director – Land Acquisition, District Headquarters, 3301 Gun Club Road, Mail Stop Code 3310, West Palm Beach, FL 33406, (561)682-6271.

Part of the CRITICAL CREW (Southern Corkscrew Regional Ecosystem Watershed) project comprised of fifty-four parcels referred to as SFWMD Tract Nos. 09-100-007, 09-100-008, 09-100-009, 09-100-011, 09-100-013, 09-100-014, 09-100-016, 09-100-017, 09-100-018, 09-100-021, 09-100-022, 09-100-024, 09-100-026, 09-100-027, 09-100-034, 09-003-194, 09-003-198, 09-003-277, 09-003-278, 09-003-434, 09-003-511, 09-003-729, 09-003-750, 09-003-756, 09-003-773, 09-003-779, 09-003-782, 09-003-783, 09-003-865, 09-003-875, 09-005-005, 09-005-013, 09-005-119, 09-005-022, 09-005-034, 09-005-126, 09-005-132, 09-005-133, 09-005-141, 09-005-147, 09-005-149, 09-005-181, 09-005-183, 09-005-191, 09-005-193, 09-005-194, 09-005-197, 09-005-198, 09-005-199, 09-005-200, 09-005-221, 09-005-230, 09-005-270 and 09-005-271 consisting of approximately 349 acres and lying in Sections 25, 26, 31, 32, 33, 34 and 35, Township 47 South, Range 26 East within Lee County, Florida.

Part of the C-43 Basin Storage Reservoir Project comprised of two parcels referred to as SFWMD Tract No. GX-100-006 consisting of approximately 201 acres and GX-100-007 consisting of approximately 196 acres, lying in Sections 23, 24, 25, and 36, Township 43 South, Range 28 East within Hendry County, Florida.

Part of the Kissimmee River Project comprised of sixteen parcels referred to as SFWMD Tract Nos. 19-103-559, 19-103-560, 19-103-561, 19-103-562, 19-103-563, 19-103-565, 19-103-566, 19-103-567, 19-103-665, 19-103-666, 19-103-667, 19-103-668, 19-103-669, 19-103-670, 19-103-671 and 19-103-672 consisting of approximately 15 acres and lying in Sections 21, 22 and 27, Township 36 South, Range 33 East within Okeechobee County, Florida.

Part of the Atlantic Ridge Ecosystem Project comprised of one parcel referred to as SFWMD Tract No. X1-100-038 consisting of approximately 518 acres plus access easement and lying in Gomez Grant, Martin County, Florida.

Part of the Water Conservation Area Project comprised of three parcels referred to as SFWMD Tract Nos. 27-100-041, 27-100-042 and 27-100-056 consisting of approximately 680

acres, and lying in Sections 02, 17 and 21, Townships 49, 52 and 53 South, Ranges 35, 38 and 39 East in Miami-Dade and Broward Counties, Florida.

Part of the Save Our Rivers-East Coast Buffer (Cell #20) Project comprised of one parcel referred to as SFWMD Tract W9-311-919 consisting of approximately 5.0 acres, and lying in Section 05, Township 52 South, Range 40 East, Miami-Dade County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-103-427 consisting of approximately 15 acres and Tract No. 19-103-456 consisting of approximately 0.27 acres, both lying in Section 17, Township 36 South, Range 33 East in Highlands County, Florida.

Part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-102-140 consisting of approximately 300 acres, lying in Sections 9 and 10, Township 35 South, Range 32 East in Highlands County, Florida.

Part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-102-140 consisting of approximately 300 acres, lying in Sections 9 and 10, Township 35 South, Range 32 East in Highlands County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of two parcels referred to as SFWMD Tract Nos. 18-200-005 and 18-200-007, consisting of a total of approximately 700 acres, all in Sections 28 through 32, Township 27 South, Range 30 East and in Osceola County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of five parcels referred to as SFWMD Tract Nos. 18-011-002 through 18-011-006, consisting of a total of approximately 5 acres, all in Sections 24 and 25, Township 30 South, Range 30 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of eight parcels referred to as SFWMD Tract Nos. 18-001-052 through 18-001-060, consisting of a total of approximately 45 acres, all in Section 3, Township 31 South, Range 31 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of one parcel referred to as SFWMD Tract No. 18-021-002, consisting of a total of approximately 1 acre, in Section 3, Township 30 South, Range 31 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of four parcels referred to as SFWMD Tract Nos. 18-029-001, 18-030-001, 18-116-002 and 18-116-004, consisting of a total of approximately 200 acres, all in Sections 1 and 12, Township 29 South, Range 29 East and in Polk County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract Nos. 19-103-271 and 19-103-434, consisting of a total of approximately 1,900 acres, all in Sections 1, 2, 3, 4 and 5, Township 36 South, Range 33 East in Okeechobee County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of one parcel referred to as SFWMD Tract No. 18-004-086, consisting of a total of approximately 0.25 acre, in Section 34, Township 30 South, Range 31 East in Polk County, Florida.

Part of the Kissimmee River project comprised of ten parcels referred to as SFWMD Tract Nos. 19-101-055, 19-101-056, 19-101-057, 19-101-058, 19-101-059, 19-101-060, 19-101-061, 19-101-062, 19-101-063 and 19-101-064, consisting of a total of approximately 600 acres, all in Sections 11 and 14, Township 34 South, Range 31 East in Okeechobee County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-101-065 and 19-101-066, consisting of a total of approximately 45 acres, all in Sections 12 and 13, Township 34 South, Range 31 East in Okeechobee County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-101-055 and 19-101-056, consisting of a total of approximately 220 acres, all in Sections 12 and 13, Township 34 South, Range 31 East in Okeechobee County, Florida.

Part of the Everglades Agricultural Area project comprised of one parcel referred to as SFWMD Tract No. D7-100-141, consisting of a total of approximately 10 acres, in Section 25, Township 46 South, Range 36 East in Palm Beach County, Florida.

LAND AND WATER ADJUDICATORY COMMISSION

The Florida **Land and Water Adjudicatory Commission** announces a meeting to which all persons are invited.

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

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will consider adoption of proposed rule 42KK-1, Cocohatchee Community Development District. Proposed rule 42KK-1, which addresses the establishment, boundaries, and board of supervisors of the Cocohatchee Community Development District, was published in the Florida Administrative Weekly on May 30, 2003, (Vol. 29, No. 22).

For more information about the Cabinet meeting agenda, copies of the proposed rule, or for information concerning special accommodations because of a disability or physical impairment, please contact: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884.

The Florida **Land and Water Adjudicatory Commission** announces a meeting to which all persons are invited.

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

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will consider amendments to Rule 42X-1, Fiddler's Creek Community Development District. Proposed rule amendments, which address the establishment and boundary of the Fiddler's Creek Community Development District, were published in the Florida Administrative Weekly on May 30, 2003, (Vol. 29, No. 22).

For more information about the Cabinet meeting agenda, copies of the proposed rule, or for information concerning special accommodations because of a disability or physical impairment, please contact: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following meeting to which the public is invited.

DATE AND TIME: Wednesday, August 6, 2003, 10:00 a.m.

PLACE: Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority and Public Hearing for the Authority's FY04 Final Budget.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call, (941)316-1776, at least two business days in advance to make appropriate arrangements.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** announces a public hearing to which all persons are invited.

DATES AND TIME: August 6-7, 2003, 11:00 a.m. – completion

PLACE: Embassy Suites Hotel, Pavilion Room, 555 N. Westshore Blvd., Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: A stakeholders' meeting of 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, (850)414-2091. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

The State of Florida, **Long-Term Care Ombudsman Council** announces the dates and times of its Quarterly Meeting as well as the subsequent committee meetings; to which interested persons are invited:

Executive Committee

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

DATES AND TIMES: August 7, 2003, 9:00 a.m. – 12:00 p.m. – Executive Committee; 9:00 a.m. – 2:00 p.m. – Coordinator Training; 2:00 a.m. – 6:00 p.m. – Policy and Procedure Committee; 4:00 p.m. – 6:00 p.m. – Ways and Means Committee; 4:00 p.m. – 6:00 p.m. – Legislative Committee State Council Quarterly Meeting

DATE AND TIME: August 8, 2003, 8:30 a.m. – 3:00 p.m.

PLACE: Sheraton Suites – Tampa, 4400 West Cypress Street, Tampa, FL 33607, (813)873-8675

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the Long Term Care Ombudsman Program.

You may contact the Office of the Long Term Care Ombudsman, (850)414-2323, for more information.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a meeting of the MyFloridaMarketPlace Steering Committee to which all persons are invited.

DATE AND TIME: Monday, August 11, 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.

NOTICE IS HEREBY GIVEN that the **Digital Divide Council** will hold a one-day meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 29, 2003, 1:30 p.m. – 3:30 p.m.

PLACE: Room, 110, Senate Office Building, 400 South Monroe Street, Tallahassee, Florida 32399 (Conference call capability will be available. The dial up number is (850)921-6623, Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting will be to address any changes in the Digital Divide Council chair, provide updates to the pilot projects and Clearinghouse, further discuss the mission statement and address the subcommittees and their recommendations for the new fiscal year.

Any additional information as to this meeting will be provided on the Digital Divide website at http://www.myflorida.com/myflorida/sciencetechnology/tech_pte/digital_divide/index.html or contact: Meg Brown, State Technology Office, 4030 Esplanade Way, Suite 180, Tallahassee, Florida 32399, (850)488-1849 or (850)410-4777.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Council at least 48 hours before the meeting by contacting Meg Brown at the above stated number.

The Florida **Black Business Investment Board**, Inc. (FBBIB) and the Florida Black Business Support Corporation (FBBSC) will hold their Board of Directors' meetings to which all interested persons are invited.

DATE AND TIME: Thursday, August 7, 2003, 10:00 a.m. – 2:00 p.m.

PLACE: 315 E. Robinson Street, Ste. 100, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Board's operations, to identify areas for future Board priorities, loan, audit, and development committees, discussion/review/approval of related issues, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Investment Board, Inc., 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBIB office, (850)487-4850, at least seven (7) days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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

DATE AND TIME: Tuesday, September 23, 2003, 9:00 a.m.

PLACE: Via Conference Call

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

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

NOTICE OF CHANGE – 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, 9:00 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).

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

DATES AND TIMES: Monday, August 4, 2003, 1:00 p.m.; reconvening Tuesday, 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/additions-specifically 61J1-2.001, 2.005, 3.001, 3.002, 4.005, 5.001, 6.001, 7.001, 7.004, 7.005, 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, 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 Florida **Board of Medicine**, Finance Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Monday, August 4, 2003, 5:00 p.m.

PLACE: Contact Florida Board of Medicine, (850)245-4131, for the meet me number

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

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

286.0105 Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission, or

agency, conspicuously on such notice, the advice 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 of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The requirements of this section do not apply to the notice provided in s. 200.065(3), F.S.

History – s. 1, ch. 80-150; s. 14, ch. 88-216; s. 209, ch. 95-148.

The Florida **Board of Medicine**, Probable Cause Panel (South) announces a telephone conference call to be held via meet me number.

DATE AND TIME: August 8, 2003, 2:00 p.m.

PLACE: Meet Me Number: (850)488-5776, Suncom Number: 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

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

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Florida **Board of Medicine**, Probable Cause Panel (North) announces a telephone conference call to be held via meet me number.

DATE AND TIME: August 22, 2003, 2:00 p.m.

PLACE: Meet Me Number: (850)488-8295, Suncom 278-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

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

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

NOTICE OF CHANGE – The Department of Health, Board of Nursing announces public meetings to which all interested persons are invited.

(Change in location for Thursday)

DATE AND TIME: August 14, 2003, 8:30 a.m. – 12:00 Noon
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:
Advanced Registered Nurse Practitioner Meeting

DATE AND TIME: August 14, 2003, 8:30 a.m. – 12:00 Noon
PLACE: Exhibit Hall, Leon County Civic Center, 505 West Pensacola Street, Tallahassee, FL 32301, (850)487-1692, Fax (850)222-6947

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Education Committee Meeting

DATE AND TIME: August 14, 2003, 8:30 a.m. – 12:00 Noon
PLACE: Exhibit Hall, Leon County Civic Center, 505 West Pensacola Street, Tallahassee, FL 32301, (850)487-1693, Fax (850)222-6947

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Credentials Committee Meeting

DATE AND TIME: August 14, 2003, 1:00 p.m. – 6:00 p.m.
PLACE: Exhibit Hall, Leon County Civic Center, 505 West Pensacola Street, Tallahassee, FL 32301, (850)487-1694, Fax (850)222-6947

GENERAL SUBJECT MATTER TO BE CONSIDERED: Full Board Meeting

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 Psychology** announces a meeting to which all persons are invited.

DATES AND TIME: August 22-23, 2003, 9:00 a.m. or soon thereafter

PLACE: Wyndham Westshore Hotel, 4860 W. Kennedy Blvd., Tampa, FL 33609, (813)286-8400

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

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Bureau of Chronic Disease Prevention** will hold the following meeting:

MEETING: Florida Arthritis Partnership

DATE AND TIME: September 19, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Tampa Airport, Hilton Westshore, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To bring together state, local, and regional decision makers and grassroots advocates who share the vision of the highest possible quality of life free from arthritis-related pain and disability. Participants will have the opportunity to network and share progress toward goals in arthritis prevention and education efforts in Florida. The meeting will include an overview of Arthritis Prevention and Education Program activities, but focus most of the time on the development of the 2004 Arthritis Action Plan. Participants will be asked to review 2003 activities and update goals, strategies and activities for

2004. Registration is preferred and can be done through the web page www.doh.state.fl.us/family/arthritis or by calling (850)245-4330.

The Florida **Department of Health**, Community Environmental Health Advisory Board announces a meeting to which all persons are invited.

DATES AND TIMES: August 6, 2003, 1:00 p.m. – 4:00 p.m. (EST); August 7, 2003, 8:00 a.m. – 4:00 p.m. (EST)

PLACE: 2585 Merchants Row Boulevard, Room 140J, Tallahassee, Florida

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

A copy of the agenda may be obtained by writing: Ric Mathis, Department of Health, Bureau of Facility Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710, (850)245-4444, Extension, 2337.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 5 days before the workshop/hearing/meeting by contacting the board office, (850)487-0004. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the board with respect to any matter considered at the above-cited meeting, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Council on Homelessness** announces conference call meetings of its Planning and Discharge Planning Committees, to which all persons are invited.

COMMITTEE: Discharge Planning

DATE AND TIME: August 18, 2003, 9:00 a.m. – 10:00 a.m., 3rd Tues

PLACE: Call (850)488-5778 or SunCom 278-5778

COMMITTEE: Planning

DATE AND TIME: September 8, 2003, 3:00 p.m. – 4:00 p.m., 1st Mon

PLACE: Call (850)488-5778 or SunCom 278-5778

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce the number of persons who may be facing homelessness in Florida.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom_Pierce@dcf.state.fl.us.

Pursuant to Chapter 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691, at least 48 hours in advance of the meeting.

FLORIDA HOUSING FINANCE CORPORATION

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Monday, August 4, 2003, 10:00 a.m. (EST)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refund bonds previously issued to finance the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Lakeside North at Carrollwood, a 168-unit multifamily residential rental development located at 3339 Handy Road, Tampa, Hillsborough County, Florida 33618. The owner of the development is Carrollwood Lakeside North Partners Ltd., c/o AIMCO, 4582 South Ulster Parkway, Suite 1100, Denver, Colorado 30237, or such successor in interest in which AIMCO, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$6,130,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being re-financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Friday, August 1, 2003, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Monday, August 4, 2003, 10:00 a.m. (EST)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition and rehabilitation of the following multifamily residential rental developments in the aggregate face amount, not to exceed the amount listed below:

Cutler Glen Apartments and Cutler Meadows Apartments, a 225-unit multifamily residential rental development located at 11100 S. W. 196th Street, 11240 S. W. 196th Street and 11280 S. W. 196th Street, Miami, Miami-Dade County, Florida 33157. The prospective owners of the proposed developments are Cutler Glen LLC and Cutler Meadows LLC, c/o Greater Miami Neighborhoods Inc., 300 N. W. 12th Avenue, Miami, Florida 33128, or such successor in interest in which Greater Miami Neighborhoods Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$8,100,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (EST), Friday, August 1, 2003 and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired,

please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

DEPARTMENT OF FINANCIAL SERVICES

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited:

DATE AND TIME: August 12, 2003, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of Rules 4-143.007, 4-143.008, 4-143.015, F.A.C., Domestic Insurers, published May 2, 2003; Rule 4-154.112, F.A.C., Guaranteed Availability of Individual Health Insurance Coverage to Eligible Individuals, published April 18, 2003; Rule 4-154.525, F.A.C., Standard and Basic Benefit Plans, published April 18, 2003; 4-154 Part III, Minimum Reserve Standards for Individual and Group Health Insurance Contracts, published May 2, 2003; Rule 4-163.0045, F.A.C., Filing Requirements, published April 18, 2003; and Rule 4-189.003, F.A.C., Workers' Compensation; Application and Audit Procedures, published May 2, 2003.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting: Frank Dino, (850)413-5014.

The Florida **Board of Funeral and Cemetery Services** announces a public Board Meeting and all persons are invited to attend.

DATE AND TIME: August 14, 2003, 10:00 a.m. – 5:00 p.m.

PLACE: JW Marriott, Orlando Grande Lakes, 4040 Central Florida Parkway, Orlando, FL 32837, (407)206-2300 or 1(800)228-9290

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose the 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.

TO OBTAIN FURTHER INFORMATION CONTACT: LaTonya Bryant, Administrative Secretary, Division of Consumer Services, 200 East Gaines St., Tallahassee, FL 32399-0361, (850)413-3039.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service, 1(800)955-8771 (TDD); or 1(800)955-8770 (Voice), for assistance.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a meeting of the Information Technology Committee.

DATE AND TIME: Thursday, July 17, 2003, 10:00 a.m. (EDT)

PLACE: Offices of IMSO, 1748 Independence Blvd., Suite C-4, Sarasota, Florida 34234

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to Information Technology Plans for years 2003 and 2004.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council** announces the following meetings:

MEETING: Program Sub-committee Meeting of the Steering Committee

DATE AND TIME: Wednesday, July 23, 2003, 1:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Bylaws Task Force Meeting

DATE AND TIME: Tuesday, July 29, 2003, 2:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Personnel Task Force Meeting

DATE AND TIME: Thursday, July 31, 2003, 10:00 a.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Nominating Committee Meeting

DATE AND TIME: Tuesday, August 5, 2003, 1:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Program Sub-committee Meeting of the Steering Committee

DATE AND TIME: Tuesday, August 12, 2003, 1:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Program Sub-committee Meeting of the Steering Committee

DATE AND TIME: Wednesday, August 27, 2003, 1:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Program Sub-committee Meeting of the Steering Committee

DATE AND TIME: Tuesday, September 9, 2003, 1:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Point Persons Teleconference

DATE AND TIME: Wednesday, September 24, 2003, 1:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Program Sub-committee Meeting of the Steering Committee

DATE AND TIME: Tuesday, September 30, 2003, 1:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Program Sub-committee Meeting of the Steering Committee

DATE AND TIME: Tuesday, October 14, 2003, 1:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

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

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or toll free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living 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 meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency,

conspicuously on such notice, the advice 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 of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

FLORIDA TEC LEADERSHIP COUNCIL

The **Florida TEC Leadership Council** announces a meeting to which all persons are invited.

MEETING: Florida TEC Leadership Council

DATE AND TIME: Friday, July 25, 2003, 2:00 p.m. – 4:00 p.m.

PLACE: Disney's Contemporary Resort, Room: Nutcracker 1, 4600 North World Drive, Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Rochelle Turner, (407)316-4600, at least seven (7) days prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida **Medical Malpractice Joint Underwriting Association** announces a Board of Governors meeting to which all persons are invited.

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

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The Florida **Medical Malpractice Joint Underwriting Association** announces a Claims and Underwriting Committee meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 29, 2003, 4:00 p.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained two weeks prior to the meeting by writing: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308

FLORIDA COMPREHENSIVE HEALTH ASSOCIATION

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting as follows:

DATE AND TIME: Wednesday, August 13, 2003, 10:00 a.m.

PLACE: Department of Financial Services, 200 E. Gaines Street, Larson Building, Rm. 101B, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors' Meeting.

A copy of the proposed agenda may be obtained by writing: Brenda DeYounks, Florida Comprehensive Health Association, 1210 E. Park Avenue, Tallahassee, Florida 32301, (850)309-1200 or by facsimile (850)309-1222.

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

FLORIDA INSURANCE GUARANTY ASSOCIATION

The **Florida Insurance Guaranty Association** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: August 15, 2003, 8:00 a.m. – 12:00 Noon (Eastern Time) or as soon as business has been concluded

PLACE: Orlando Hyatt Regency, 9300 Airport Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Florida Insurance Guaranty Association will meet regarding the regular business of the Association.

A copy of the agenda may be obtained by writing: Mr. Jerry Service at the address above or by calling (904)398-1238, Ext. 109.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend the meeting is asked to advise the Association by contacting: Jerry Service, (904)398-1238, Ext. 109, at least 48 hours

before the session if the person wishes to attend. A person who is hearing or speech impaired may also contact the TDD at 1(800)955-1339.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on July 10, 2003, from the Hernando County Development Department, with regard to whether the requirement of table 403.1, Florida Building Code, Plumbing Volume, for a minimum number of drinking fountains in a building designated as a business occupancy may be met by requiring tenants to provide water coolers in each tenant space within the building pursuant to section 410, Florida Building Code, Plumbing Volume. It has been assigned the number DCA03-DEC-196.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition for Declaratory Statement on July 15, 2003 from Exum Walker regarding the application of credits against any new sentences that might be received in the event of revocation of probation. It has been assigned the number DC03-33.

A copy of the request may be obtained by writing: Agency Clerk, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Jerry A. Cooke, Unit Owner, Palm Greens at Villa Del Ray, Petitioner, on July 02, 2003.

The Petitioner requests a declaratory statement as to whether master condominium association board members are subject to recall under Section 718.112(2)(j), Florida Statutes and Rules 61B-23.0026-.0028, Florida Administrative Code.

A copy of the Petition for Declaratory Statement, Docket Number 2003070223, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1029.

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 FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed July 9, 2003, by King House, Inc. The Petition is seeking clarification regarding the application of sprinklers to two story bed and breakfasts facilities under Section 509.215, Florida Statutes, and NFPA 101, Florida Fire Prevention Code.

A copy of the Petition for Declaratory Statement may be obtained by writing: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340; by calling: Kimberly Riordan, (850)413-3170; or by faxing the request: (850)922-1235, Attn: Gabriel Mazzeo.

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:

Sheraton Bal Harbour Association, Ltd. vs. Department of Revenue; Case No.: 03-2441RX; Rule No.: 12B-6.001(1)(c)3.b.

Kindred Hospital North Florida Kindred Hospital Central Tampa, Kindred Hospital Bay Area – Tampa, et al vs. Agency for Health Care Administration; Case No.: 03-2032RP; Rule No.: 59C-1.045

Damian Hurtado vs. Department of Health, Board of Orthotists and Prosthetists; Case No.: 03-2475RX; Rule No.: 64B14-4.110(1)(b)

Alley Cat Allies, Inc. and Frank Hamilton vs. Fish and Wildlife Conservation Commission; Case No.: 03-2156RU

Waco Properties vs. North Central Florida Regional Planning Council; Case No.: 03-2466RU

Paul M. Murry, M.D. vs. Department of Health, Board of Medicine; Case No.: 03-2476RU

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

Kindred Hospital North Florida Kindred Hospital Central Tampa, Kindred Hospital Bay Area – Tampa, et al vs. Agency for Health Care Administration; Case No.: 03-2032RP; Rule No.: 59C-1.045; Voluntary Dismissal

Publix Super Markets, Inc. vs. Department of Revenue; Case No.: 03-1473RU; Voluntary Dismissal

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

INVITATION TO BID

The Florida State University, FO&M Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
FO&M Maintenance, Purchasing
114F Mendenhall Building A
Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number: FO&M45-3
Purchasing Agent: B.J. Lewis, FO&M
Public Bid Opening: August 1, 2003 at 10:00 a.m.

FSU-FO&M Maintenance
116 Mendenhall Hall, Building A
Tallahassee, Florida 32306-4150
FO&M Maintenance Purchasing

Bid Documents: The purpose of this bid is to secure pricing for keyways, cylinders and cores, locks as required by the Florida State University. The University's intent is to replace approximately 10,000 locksets throughout the entire campus. However, the University will not guarantee the purchase of any specific amount of locks. Any estimate of quantities is strictly for bidding purposes only. Florida State University is only interested in purchasing new items. Previously owned, refurbished or reconditioned items will not be considered. Bidders must bid on all items listed.

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

Florida Atlantic University

PROJECT DESCRIPTION

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

This facility will be constructed using the construction management delivery process.

The Construction budget is approximately \$8.3 million.

SELECTION CRITERIA

Firms will be evaluated in the following areas: current workload, location, past performance, volume of state work, design ability, and experience and ability. Experience and ability scores will be based on the following criteria:

1. Experience of firm and individual members of the design team in planning, designing, estimating, and construction administration of projects similar in size and budget. Site examples of projects within the past five-year.
2. Experience of firm in design of state-of-the-art laboratory facilities. Site examples of projects.
3. Experience in campus planning, educational facilities and working with committees.

SELECTION COMMITTEE

Bob Friedman, University Architect and Vice President – FAU

Tom Donaudy, Associate Vice President, Division of University Architect – FAU

Scott Baruch, Associate Director, Facilities Planning – FAU

Dr. John Wiesenfeld, User Representative – FAU

TBD Harbor Branch Representative – HBOI

SELECTION SCHEDULE:

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

Submittal Due: Wednesday, August 27, 2003

Shortlist Meeting: Thursday, September 18, 2003

Final Interviews: Thursday, October 2, 2003

GENERAL INFORMATION

1. All applicants will be notified of the results of the shortlisting in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
2. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.

3. Professional liability insurance is required for this project in the amount of \$500,000.
4. A copy of the building program may be purchased at Boca Blueprint, 2029 N. W. 2nd Avenue, Boca Raton, FL 33431, (561)395-4944 or at www.fau.edu/divdept/univarch/ua.htm.

A/E ADVERTISEMENT – BR-603

FAU/HBOI Marine Science Partnership

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of its Board of Trustees, announces that Professional Services in the discipline of Architecture, will be required for the project listed below:

Project No.: BR-603

Project and Location: The FAU/HBOI Marine Science Partnership consists of site development and construction of a 45,000 gross square feet building. Major space categories within the building include research laboratories and offices. The building will be located on the Harbor Branch Oceanographic Institute Campus at Fort Pierce.

The total Construction Budget is approximately \$8.3 million. The selected firm will provide design development, construction documents and construction administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$500,000, and will be provided as a part of Basic Services.

INSTRUCTIONS:

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

The letter of application should have attached:

1. A completed "Florida Atlantic University Professional Qualifications Supplement" (FAUPQS) dated April 2003. Applications on any other form may not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 5 (five) bound sets of the above requested data in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for the State of Florida University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted

vendor list. FAU Professional Qualifications Supplement forms and the Project Fact Sheet are available online at www.fau.edu/divdept/univarch, or by contacting:

Carla C. Capeletti, Office of the Associate Vice President to the University Architect, Florida Atlantic University, 777 Glades Road, Campus Operations Building #69, Room 101, Boca Raton, Florida 33431, Telephone (561)297-2663. Fax (561)297-0224, or e-mail ccapelet@fau.edu.

Five (5) bound sets of the required proposal data shall be submitted to: Mr. Tom Donaudy, Associate Vice President, Office of the Associate Vice President, Florida Atlantic University, at the above address, by 5:00 P.M. local time, on Wednesday, August 27, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

PROJECT FACT SHEET
Lee Street Roadway Project
BR-639
Florida Atlantic University

PROJECT DESCRIPTION

Located on the Boca Campus of Florida Atlantic University, the Lee Street project consists of construction of approximately 3,900 linear feet of a new four lane median divided roadway. This project will connect the northern section of the newly expanded Florida Atlantic Boulevard to the existing Broward Avenue. This project will also include the master planning of adjacent surface parking areas and the enhancement of campus infrastructure within surrounding areas, in accordance with the approved campus master plan.

This project will be a conventional design and bid delivery method of construction.

The Construction budget is approximately \$3 million.

SELECTION CRITERIA

Firms will be evaluated in the following areas: current workload, location, past performance, volume of state work, design ability, and experience and ability. Experience and ability scores will be based on the following criteria:

1. Experience of firm and individual members of the team in planning, designing, estimating, and construction administration of projects similar in size and budget. Site examples of projects within the past five-year.
2. Experience in campus planning, educational facilities and working with committees.

SELECTION COMMITTEE

Tom Donaudy, Associate Vice President, Division of University Architect – FAU

Ray Nelson, Director, Facilities Planning – FAU

Hal Schaeffer, Director, Physical Plant – FAU

August Washington, Chief of Police – FAU

SELECTION SCHEDULE:

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

Submittal Due: Monday, August 25, 2003

Shortlist Meeting: Thursday, September 4, 2003

Final Interviews: Thursday, September 25, 2003

GENERAL INFORMATION

1. All applicants will be notified of the results of the shortlisting in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
2. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.
3. Professional liability insurance is required for this project in the amount of \$250,000.
4. A copy of the building program may be purchased at Boca Blueprint, 2029 N. W. 2nd Avenue, Boca Raton, FL 33431, (561)395-4944 or www.fau.edu/divdept/univarch/ua.htm.

A/E ADVERTISEMENT – BR-639

Lee Street Roadway Project

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of its Board of Trustees, announces that Professional Services in the discipline of Engineering, will be required for the project listed below:

Project No.: BR-639

Project and Location: The project consists of construction of a four lane median divided roadway located on the Boca Campus of Florida Atlantic University, 777, Glades Road, Boca Raton, FL 33431. This project will also include planning of adjacent surface parking areas and the expansion of campus infrastructure.

The total Construction Budget is approximately \$3 million. The selected firm will provide master planning, design development, construction documents and construction administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$ 250,000, and will be provided as a part of Basic Services.

INSTRUCTIONS:

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

The letter of application should have attached:

1. A completed "Florida Atlantic University Professional Qualifications Supplement" (FAUPQS) dated April 2003. Applications on any other form may not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 5 (five) bound sets of the above requested data in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for the State of Florida University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. FAU Professional Qualifications Supplement form and the Project Fact Sheet are available online at www.fau.edu/divdept/univarch, or by contacting:

Carla C. Capeletti, Office of the Associate Vice President to the University Architect, Florida Atlantic University, 777 Glades Road, Campus Operations Building #69, Room 101, Boca Raton, Florida 33431, telephone (561)297-2663, Fax (561)297-0224 or e-mail ccapelet@fau.edu.

Five (5) bound sets of the required proposal data shall be submitted to: Mr. Tom Donaudy, Associate Vice President, Office of the Associate Vice President, Florida Atlantic University, at the above address, by 5:00 p.m., local time, on Monday, August 25, 2003. Facsimile (FAX) submittals are not acceptable and will not be considered.

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."

EXPRESSWAY AUTHORITIES

NOTICE TO DESIGN ENGINEERING FIRMS RETRACTION OF REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)

MDX WORK PROGRAM NO. 83602.020

The Miami-Dade Expressway Authority (MDX) is hereby retracting the previously advertised Request for Statement of Qualifications (RSOQ) for MDX Work Program No. 83602.020. This Project will be readvertised in December of 2003.

Therefore, please be advised that Statements of Qualifications for this Project will NOT be required or accepted on September 3, 2003. The cone of silence for this project is hereby lifted.

MDX apologizes for any inconvenience this change may have caused.

For further information or questions, please contact MDX Procurement Office, (305)637-3277.

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR CONTINUING AREA CONTRACTS AREA 7

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction ("Division") requests qualifications from construction management firms to provide services in Area 7, counties of Charlotte, Collier, DeSoto, Glades, Hendry, Highlands, Lee 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/oa/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."

NOTICE TO GENERAL CONTRACTORS INVITATION TO BID

Proposals are requested from qualified general contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NO.: DCF-02240910

PROJECT: ADDITION TO A RESIDENCE

354 CHERRY STREET

PALM BEACH GARDENS, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those contractors who demonstrate current licensed status with the Department of Business and Professional Regulations.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: A Performance Bond and Labor and Material Payment Bond are required if the construction cost is over \$100,000.00.

DATE AND TIME: Sealed bids will be received at the Department of Children and Family Services, Office Conference Room, 111 S. Sapodilla Avenue, West Palm Beach, Florida on August 14, 2003, until 2:00 p.m., local time, at which time they will be publicly opened and read aloud. For directions call (561)837-5087.

PRE-BID INSPECTION: We will conduct a prebid inspection with the architect at the project site on Thursday, August 7, 2003 at 10:30 a.m. for all interested contractors.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, and with a copy of the contractor's current license. The contract documents may be examined and obtained from the Architect/Engineer:

MR. TY THACKER

SMRT ARCHITECTURE, ENGINEERING AND
PLANNING, INC.

2051 MAIN STREET

SARASOTA, FLORIDA 34237

(941)955-9883

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted at 4:00 p.m., local time, on August 14, 2003, at the department's office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States mail, Return Receipt requested. Any protests of the bid must be made within 72 hours of posting of the results. Failure to file a protest within the time prescribed shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder.

CITY OF FT. LAUDERDALE

NOTICE TO CONTRACTORS

Sealed proposals will be received until 9:00 a.m. on Wednesday August 6, 2003 in the Office of the City Engineer, Public Services Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for PROJECT NO. 10541-A – G. T. LOHMEYER WWTP IMPROVEMENTS – TRUCK SCALES.

This project consists of Drawing File No. WS-03-01 consisting of six sheets.

The Work intended for the Contractor will be to furnish, install, calibrate and test module axle load scales, digital weight indicators, ticket printers, conduits and wires.

Proposal blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer.

A pre-bid meeting will be held at 10:00 a.m. on Wednesday July 30, 2003 at the Program Management Team office at 200 North Andrews Avenue, Suite 300 (third floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended, but not mandatory.

It will be the sole responsibility of the bidder to clearly mark proposal as such, and ensure that his proposal reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for five percent (5%), made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

This project is funded in whole or in part by the Florida Department of Environmental Protection State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplemental Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all proposals.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line, (954)828-5688. For general inquiries – please call (954)828-5772.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO PROFESSIONAL CONSULTANTS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, letters of interest from architectural / engineering firms or individuals desiring to render professional services for the following project:

REMOTE PUBLIC PARKING GARAGE DESIGN

AND RELATED WORK

TAMPA INTERNATIONAL AIRPORT

HCAA PROJECT NO. 3900

Services to be furnished shall include, but not be limited to, all architectural design and all engineering related to civil, utilities, structural, mechanical, plumbing, electrical, related surveys, testing and geotechnical engineering; and basic architectural/engineering services during construction. A more detailed scope of services will be included in the formal request for proposals.

Qualified consultants desiring consideration for this project must give written notification in the form of a letter of interest to: Louis P. Russo, Jr., Acting Senior Director of Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622.

A mandatory pre-proposal conference will be held in the Authority board room, located on the third floor, blue side, on Thursday, September 11, 2003 at 2:00 p.m. The letters of interest must be received at or before 5:00 p.m. local time, Thursday, August 14, 2003. For additional information go to the Authority's website at www.tampaairport.com; Contracts & Business Information RFP/RFQ/RFI Information on or after Thursday, August 28, 2003.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: /s/ _____

Louis E. Miller, Executive Director

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

Notice of Availability of Pre-Disaster Mitigation Project Grants

PROGRAM SUMMARY

The Department of Community Affairs (DCA), Division of Emergency Management (DEM), is pleased to announce the availability of Pre-Disaster Mitigation (PDM) competitive grants for projects for federal Fiscal Year (FY) 2003. The PDM program was authorized by Section §203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended by Section §102 of the Disaster Mitigation Act of 2000, to assist communities in implementing hazard mitigation programs designed to reduce overall risk to the population and structures before the next disaster occurs. DEM is soliciting applications and encourages local governments to identify and submit applications that address eligible mitigation activities that are designed to reduce overall risk to hazards. Applications for planning related activities will not be considered. An approximate total of \$118 million is available nationwide and these funds will be awarded on a competitive basis. The application period will close September 2, 2003. Therefore, all applications must be postmarked by September 2, 2003, and no application will be accepted after that date. We would recommend that you submit applications as soon as possible for review. No supplemental data to applications will be accepted after the application deadline. The national funding priority for FY 2003 PDM funding is mitigation projects that address National Flood Insurance Program (NFIP) repetitive flood-loss properties.

APPLICATION TIMELINE

The deadline for submitting applications is September 2, 2003 (postmarked). Applications will be accepted only from eligible applicants as defined below. Please provide four completed copies of the a State of Florida, Joint HMGP/FMA Application and Supplemental Questions for National Ranking and Evaluation, which may be obtained from the DEM website, at:

http://www.dca.state.fl.us/brm/hmgp_proc_forms.htm.

Alternatively, you may contact DEM directly at (850)487-1584. Completed applications should be submitted to the following address:

Department of Community Affairs
Division of Emergency Management
Pre-Disaster Mitigation Program
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
ATTN: Quinton Williams

NFIP PARTICIPATION: All applicants must be participants in the NFIP if they have been identified through the NFIP as having a Special Flood Hazard Area. In addition, the community must not be on probation, suspended or withdrawn from the NFIP. For more information, see the State of Florida NFIP Community Status Report at <http://www.state.fl.us/brm>.

MINIMUM PROGRAM ELIGIBILITY

Eligible applicants are state agencies; federally recognized Indian tribal governments, and local governments. Private non-profit organizations are not eligible to apply; however, they may request a local government to submit an application for proposed activities on their behalf.

Because the DCA encourages local mitigation planning, PDM funding is available to only those communities that are participants in their respective county's Local Mitigation Strategy (LMS). Project applications will be considered only if the application is accompanied by an endorsement by the LMS Chairperson or Vice Chairperson stating that the project is included in the current LMS.

Eligible activities include mitigation projects that primarily focus on natural hazards, but may also address hazards caused by non-natural forces. Funding is restricted to a maximum of \$3.0 million federal share per project. Eligible projects include:

- Property acquisition or relocation;
- Structural and non-structural retrofitting (e.g. elevation, storm shutters and hurricane clips);
- Minor structural hazard control on protection (e.g. culverts, floodgates, retention basins); and
- Localized flood control projects that are designed to protect critical facilities and are not part of a larger flood control system.

Ineligible activities include:

- Major flood control projects;
- Engineering designs not integral to a proposed project;
- Feasibility and drainage studies that are not integral to a proposed project;
- Flood studies or mapping; and
- Response and communication equipment (e.g. warning systems, generators that are not integral to a proposed project).

MANAGEMENT COST

An application may request up to a maximum of five percent of the total project cost for management costs to support approved project activities. The management cost figure must be included in the total project cost for the benefit-cost analysis.

COST SHARE REQUIREMENTS

The Federal Emergency Management Agency (FEMA) will contribute up to 75 percent of the total amount approved under the grant award to implement eligible cost-effective mitigation projects. The applicant must provide the remaining 25 percent non-federal share. All contributions, cash and in-kind services, are acceptable as part of the non-federal share. Requirements for in-kind contributions can be found in 44 CFR §13.24.

In-kind contributions must be directly related to eligible program costs. A record of source of donor, dates, rates, amounts, and deposit slips (cash contributions only) is required documentation for third party cash and in-kind contributions.

BENEFIT-COST ANALYSIS/COST-EFFECTIVENESS

A benefit-cost analysis is required for all mitigation projects. There are no waivers from the benefit-cost analysis requirement. Applicants will have to complete their own benefit-cost analysis as required for project grant applications. Only projects with a benefit-cost analysis ratio of 1.0 or above will be considered for funding.

Applicants may use programs or mechanisms other than the FEMA Benefit-Cost Model to conduct the benefit-cost analysis; however, the methodology used must be consistent with the FEMA Benefit-Cost Model and approved in advance. FEMA has also developed an alternative program to determine cost-effectiveness for certain insured Repetitive Loss Properties. It is available upon request to DEM.

ELIMINATION CRITERIA

- Planning related activities;
- Ineligible applicant;
- Ineligible project;
- Incomplete application;
- Identified flood hazard area, but not NFIP participant;
- Identified flood hazard area, but NFIP probation, suspended or withdrawn;
- Missing cost-share funding;
- Mitigation projects without a Benefit-cost analysis;
- Benefit-cost Ratio less than 1.0; and
- Activities requiring conditional approvals.

PROJECT EVALUATION PROCESS

The State of Florida will use the National Ranking Criteria to prioritize projects for submission to FEMA. All eligible applications will be ranked on the basis of predetermined factors to calculate ranking scores. Factors that will be considered in the score are listed below in order of importance:

- Benefit-cost analysis
- Community mitigation factors (Supplemental Questions for National Ranking and Evaluation);
- Status of existing LMS;
- Percent of the population benefiting (projects only);
- Small impoverished Community; and
- Critical Facility.

Applications will be ranked in descending order based on the score from the above factors. The Supplemental Questions for National Ranking and Evaluation must be completed and submitted with each application. Contact DEM for the Supplemental Questions.

National panels, chaired by FEMA and composed of FEMA Headquarters and regional staff, other federal agency staff and state representatives, will convene to evaluate the applications and determine a National Evaluation Score.

Evaluation factors include (but are not limited to) feasibility of project methodology; likelihood of project success; applicant capability; consistency with national priorities (especially projects primarily focused on NFIP repetitive flood-loss properties); community mitigation incentives; protection of critical facilities and the National Ranking Score. The approving Federal official at FEMA Headquarters shall consider the National Evaluation Score, any comments and recommendations from the independent reviewers, and other pertinent information to determine which applications to approve.

ENVIRONMENTAL REVIEW

Once a project is selected through the national ranking and evaluation process, the State and FEMA will initiate the environmental/historical review. Funds will not be awarded and the project cannot be initiated until the review is complete.

TECHNICAL ASSISTANCE

DEM will provide technical assistance to applicants throughout the application process by answering questions about the PDM program, the application process, benefit-cost analysis, engineering feasibility and environmental/historical preservation compliance. However, DEM will neither complete the application for an applicant nor favor one applicant over another in this competitive grant application process. Applicants should contact:

Ara Nahapetian, Benefit-Cost/Technical Feasibility Assistance, (850)922-5332 or via e-mail: ara.nahapetian@dca.state.fl.us.

Phillip Worley, Environmental/Historical Structures Technical Assistance, (850)922-5914 or via e-mail: phillip.worley@dca.state.fl.us.

The following documents are available via the DEM Website at www.dca.state.fl.us/brm:

1. Guidelines for Benefit Cost-Analysis for PDM Applications
2. Guidance for Pilot Alternative Determination of Cost-Effectiveness for certain Insurance Repetitive Loss Properties
3. Supplemental Questions for National Ranking and Evaluation
4. Environmental/Historic Preservation Guidance and Established Questions
5. State of Florida Joint HMGP/FMA Grant Application
6. PDM FY 2003 Program Guidance

DCA Final Order No.: DCA03-OR-180

In re: CITY OF GROVELAND LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF GROVELAND
ORDINANCE NO. 2002-043

FINAL ORDER

The Department of Community Affairs ("Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2002), rejecting and approving land development regulations adopted by a local government within the Green Swamp Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Green Swamp is a statutorily designated area of critical state concern, and the City of Groveland is a local government within the Green Swamp Area.

2. On May 28, 2003, the Department received for review City of Groveland Ordinance No. 2002-043 ("Ordinance").

3. The Ordinance implements, among others, Articles 2 - 6 and 10, of Appendix A – Zoning, of the City's Municipal Code.

4. Article II, Section 2.10, defines "Lot coverage" as "the part of a lot occupied by buildings, including accessory buildings, but excluding unroofed and unenclosed structures such as driveways, tennis courts, swimming pools, patios and sidewalks if constructed at grade level."

5. Article III, Section 3.32, states "in case of uncertainty as to the true location of a district boundary line in a particular instance, the city clerk shall request the city council to review the situation and make a determination."

6. Article IV, Section 4.10, fails to distinguish which land uses are allowed in which areas. In other words, this section does not limit the types of uses within the Green Swamp Area of Critical State Concern.

7. Additionally, Article IV, Section 4.10, includes Note 1 for Residential that allows "up to 20% of [the 60% open space requirement] may be included in private yards depending on site characteristics and lot coverage. Note 2 allows dedication of perpetual open space to a homeowners association. Note 3 provides that wetlands may be placed in a Conservation Easement and fails to include floodplains.

8. Article V, Section 5.11, requires the city council to "recognize the unique situation of [existing undeveloped lots of record] when considering lot regulation variance requests."

9. Article VI, Sections 6.01(D)(3) and (E)(5)(e), allow for deviations to open space requirements within planned unit developments.

10. Article VI, Sections 6.01(E)(9) and (F), allow planned unit developments to establish separate time periods for effectiveness and implementation, and allow for an unlimited time period for development.

11. Article X, provides for the allowance of special exceptions uses which are defined as uses "that would not be appropriate generally without restriction throughout the particular zoning district or classification."

12. The above referenced sections in the Ordinance are not consistent with the City's Comprehensive Plan. The remainder of the Ordinance is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

1. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes.

2. The City of Groveland is a local government located within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes, and Rule 28-26.002, Florida Administrative Code.

3. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

4. 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") set forth in Rule 28-26.003, Florida Administrative Code. 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.

5. Certain sections of the Ordinance do not promote and further the Principles as a whole. Section 3.32 of Article III allows the city council to establish a district boundary line without providing any criteria guiding the determination. Section 5.11 of Article V allows variance for "hardships" without limiting the period of recognition or requiring aggregation under common ownership. Section 6.01 of Article VI allows a planned unit development to establish separate time periods for effectiveness and implementation with no maximum time frame being established for the validity of the planned unit development if no development occurs. Further, Section 10.01 of Article 10 allows uses not typically allowed and fails to establish criteria for guiding the range of exceptions permitted.

6. Additionally, sections of the Ordinance do not promote and further the following Principles:

(a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.

(b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.

(c) Protect the water available for aquifer recharge.

(d) Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.

(e) Protect the normal supply of ground and surface water.

(f) Prevent further salt-water intrusion into the Floridan Aquifer.

(g) Protect or improve existing ground and surface-water quality.

(j) Protect the natural flow regime of drainage basins.

(k) Protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

7. Section 4.10 of Article IV, Residential (note 1) allows twenty percent (20%) of the required sixty percent (60%) open space to be located within lots. Districts C-1 and C-2 allow up to eighty percent (80%) lot coverage. These provisions conflict with the City's Comprehensive Plan policies 1-3.6.5 and 1-3.6.6 that require sixty percent (60%) open space on the entire site. Article IV, Residential (note 2) further allows dedication of open space to a homeowners association instead of requiring dedication to the local government. Article IV, Residential (note 3) also does not require that wetlands be placed in a conservation easement.

8. Section 4.10 of Article IV does not limit the type of land uses within the Green Swamp Area of Critical State Concern. The following land use designations, Ag Special Exception Uses 7 (travel trailer parks), 11 (airports), 12 (processing and distribution of natural resources) and 14 (poultry ranches), R-1A, R-1, R-2, R-3, and M-1, allow uses which are inconsistent with the allowed land uses in the Green Swamp Area of Critical State Concern as provided in the City's Comprehensive Plan.

9. Further, Sections 6.01(D)(3) and (E)(5) of Article VI allow deviations to the open space requirements contained within the Comprehensive Plan.

10. The remainder of the Ordinance is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that the Section 2.10 of Article II, Section 3.32 of Article III, Section 4.10 (Notes 1, 2, and 3, and Ag Special Exception Uses 7 (travel trailer parks), 11 (airports), 12 (processing and distribution of natural resources) and 14 (poultry ranches), R-1A, R-1, R-2, R-3, and M-1) of Article IV, Section 5.11 of Article V, Section 6.01(D)(3) and (E)(5)(e) of Article VI, Section 6.01(E)(9) and (F) of Article VI, and Article X of Ordinance 2002-043 are found to be inconsistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and are hereby REJECTED. The remainder of

Ordinance 2002-043 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Charles Gauthier, 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:
Mayor
City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

Jason Yarborough
City Manager
City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

Teresa Greenham
Urban & Regional Planners, Inc.
2001 Old U.S. Highway 441, Ste. 1
Mount Dora, FL 32757

Final Order No.: DCA03-OR-181

In re: CITY OF LAKE ALFRED LAND
DEVELOPMENT REGULATIONS
ADOPTED BY ORDINANCE NO. 0132-03

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statute (2002), approving City of Lake Alfred Ordinance No. 0132-03, as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and the City of Lake Alfred is a local government within the Green Swamp Area.

2. The Department received for review City of Lake Alfred Ordinance No. 0132-03 (the "Ordinance") which was adopted by the City Commission of Lake Alfred. The Ordinance was adopted on May 5, 2003. The Ordinance amends the City of Lake Alfred Unified Land Development Code to provide for additional definitions, additional provisions regulating land uses, three new zoning districts, additions to "compatibility, landscaping and buffering standards," a new section of development standards and additions to "resource protection standards."

3. The Ordinance is consistent with the County's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes.

5. The City of Lake Alfred is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes, and Chapter 28-26, Florida Administrative Code.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code.

8. The Ordinances are consistent with the principles for guiding development in Rule 28-26.003, Florida Administrative Code.

WHEREFORE, IT IS ORDERED that Ordinance No. 1032-03 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective twenty-one (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, 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.

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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:
Joseph Gallo, III
Mayor
120 E. Pomelo Street
Lake Alfred, FL 33850

Frederick J. Murphy
Lake Alfred City Attorney
245 S. Central Ave.
Bartow, FL 33830-4620

Janice Shockley, Clerk
City of Lake Alfred
155 East Pamelos Street
Lake Alfred, FL 33850

DCA Final Order No. DCA O3-OR-194

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY CITY OF KEY COLONY BEACH
ORDINANCE NO. 357-2003

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002), approving a land development regulation adopted by the City of Key Colony Beach as set forth below.

FINDINGS OF FACT

1. On July 1, 2003, the Department received for review City of Key Colony Beach Ordinance No. 357-2003, which was adopted by the City of Key Colony Beach Board of City Commissioners on June 26, 2003 ("Ord. 357-2003"). The purpose of Ord. 357-2003 is to amend the Land Use District Map, changing the designation from Commercial (B-1) to Two Family Residential (R2-C) for property described as lots 4-10, Marina Subdivision, Key Colony Beach, Florida. The City previously amended the Future Land Use Map, and this rezoning is necessary to allow residential use of the property.

2. Ord. 357-2003 is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

3. 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).

4. The City of Key Colony Beach 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.

5. "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. 357-2003 are land development regulations.

6. 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"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (2002).

7. Ordinance 357-2003 is consistent with the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(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 protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

8. Ordinance 357-2003 is not inconsistent with the remaining Principles. Ord. 357-2003 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 357-2003 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Charles Gauthier, Acting Director
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

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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.

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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 Agency Clerk of the Department of Community Affairs, 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:
The Honorable Edward Sheahan
Mayor of the City of Key Colony Beach
Post Office Box 510141
Key Colony Beach, FL 33051

Lorine Fernandez
Clerk of the City of Key Colony Beach
Post Office Box 510141
Key Colony Beach, FL 33051

DCA Final Order No.: DCA03-OR-197

In re: CITY OF GROVELAND LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF GROVELAND
ORDINANCE NO. 2003-05-24

FINAL ORDER

The Department of Community Affairs ("Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2002), rejecting and approving land development regulations adopted by a local government within the Green Swamp Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Green Swamp is a statutorily designated area of critical state concern, and the City of Groveland is a local government within the Green Swamp Area.

2. On May 23, 2003, the Department received for review City of Groveland Ordinance No. 2003-05-24 ("Ordinance").

3. The Ordinance amends Appendix A, Article IV¹, Section 4.10 and Appendix B, Chapter VII, Section 4.2(2) and Chapter XVI, Section 3.4(A), of the City's Municipal Code.

4. Article IV, Section 4.10, amends the maximum lot coverage as follows:

Lots 6,000 sq. ft. or less: 60%

Lots greater than 6,000 sq. ft.: 50%

Note 1 of Section 4.10 is amended to add the following language: "where the maximum lot coverage is utilized on smaller lots, the City will require a higher portion of the 60% open space requirement to be communal open space."

5. Note 1 of Section 4.01 as amended is not consistent with the City's Comprehensive Plan. The remainder of the Ordinance is consistent.

¹ The Ordinance incorrectly refers to Article III.

CONCLUSIONS OF LAW

1. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes.

2. The City of Groveland is a local government located within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes, and Rule 28-26.002, Florida Administrative Code.

3. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

4. 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") set forth in Rule 28-26.003, Florida Administrative Code. 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.

5. Article IV, Section 4.10, Note 1 as amended by the Ordinance does not promote and further the following Principles:

(a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.

(b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.

(c) Protect the water available for aquifer recharge.

(d) Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.

(e) Protect the normal supply of ground and surface water.

(f) Prevent further salt-water intrusion into the Floridan Aquifer.

(g) Protect or improve existing ground and surface-water quality.

(j) Protect the natural flow regime of drainage basins.

(k) Protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

6. The Ordinance attempts to modify Section 4.10 of Article IV which was previously rejected by DCA Final Order No.: DCA03-OR-180. The proposed modification only requires a higher portion of the required sixty percent (60%) open space to be communal open space. This conflicts with the City's Comprehensive Plan policies 1-3.6.5 and 1-3.6.6 that require sixty percent (60%) open space on the entire site.

7. The remainder of the Ordinance is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that the proposed modification to Section 4.10 of Article IV in Ordinance 2003-05-24 is found to be inconsistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby REJECTED. The remainder of Ordinance 2003-05-24 is found to be consistent with the Principles for Guiding Development, 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, 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:
The Honorable Doris Thompson
Mayor, City of Groveland
156 S. Lake Avenue
Groveland, FL 34736

Jason Yarborough
City Manager
City of Groveland
156 S. Lake Avenue
Groveland, FL 34736
Teresa Greenham
Urban & Regional Planners, Inc.
2001 Old U.S. Highway 441, Ste. 1
Mount Dora, FL 32757

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.: BLIVR-0604-001
DATE RECEIVED: July 15, 2003
DEVELOPMENT NAME: Kissimmee Good Samaritan Retirement Village
DEVELOPER/AGENT: Evangelical Lutheran Good Samaritan/RJ Whidden & Associates
DEVELOPMENT TYPE: 28-24.020, 28-24.023, 28-24.031, F.A.C.
LOCAL GOVERNMENT: Osceola County

NOTICE OF APPROVAL FOR FLORIDA FOREVER FUNDS

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Florida Forever Program, Series FF2 funding cycle. The project plan listed below was approved by the Executive Director under authority delegated from the governing body. The Executive Director is authorized to execute the agreements for acquisition of the project site and all other documents necessary to close the project and that funds be released as follows:

Project: 02-071-FF2/North Fork of the St. Lucie River – Phase III

Grantee: St. Lucie County

Amount of Approved Funds: the lesser of 75.00% of the final total project costs or \$1,537,500.00

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or

oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Goshen Coach intends to allow the establishment of America's Bus Superstore, as a dealership for the sale of Goshen Coach buses, at 1150 Jetport Drive, Orlando (Orange County), Florida 32809, on or after July 3, 2003.

The name and address of the dealer operator(s) and principal investor(s) of America's Bus Superstore are dealer operator(s) and principal investor(s): Preben Olesen, 1150 Jetport Drive, Orlando, FL 32809.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Troy Snyder, Vice President, Sales & Marketing, Goshen Coach, 1110 D.I. Drive, Elkhart, IN 46514.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Infiniti Division of Nissan North America, Inc., intends to allow the establishment of TT of Sample, Inc. d/b/a Broward Infiniti Coconut Creek as a dealership for the sale of Infiniti vehicles, at 5401 Sample Road, Coconut Creek (Broward County), Florida 33073, on or after September 1, 2003.

The name and address of the dealer operator(s) and principal investor(s) of TT of Sample, Inc. d/b/a Broward Infiniti Coconut Creek are dealer operator(s) and principal investor(s): Terry R. Taylor, 15 Harborage Isle Drive, Ft. Lauderdale, FL 33316.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Gary M. Frigo, Regional Vice President, Infiniti Division of Nissan North America, Inc., P. O. Box 6824, Somerset, NJ 08875-6824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Bourget's Bike Works, Inc. intends to allow the establishment of Gulf Coast Bourget Cycles, LLC as a dealership for the sale of Bourget's motorcycles, at 3924 Cleveland Avenue, Ft. Myers (Lee County), Florida 33901, on or after July 4, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Bourget Cycles, LLC. are dealer operator(s) and principal investor(s): Brooks and Patricia Robertson, 1129 S. W. 52nd St., Cape Coral, FL 33914.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Brigitte M. Bourget, Vice President, Bourget's Bike Works, Inc., 21407 N. Central Avenue, Phoenix, AZ 85024-5100.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Ford Motor Company, intends to allow the relocation of 10-2002, LLC d/b/a Suncoast Ford, as a dealership for the sale of Ford vehicles, from its present location at 8702 State Road 52, Hudson, (Pasco County) Florida, to a proposed location at 10715 US Hwy. 19, Port Richey (Pasco County), Florida, on or after August 15, 2003.

The name and address of the dealer operator(s) and principal investor(s) of 10-2002, LLC d/b/a Suncoast Ford are dealer operator(s): Vernon G. Buchanan, 707 S. Washington Blvd., Sarasota, FL 34236 and William A. Small, III, 8702 State Road 52, Hudson, FL 34667; principal investor(s): 1099 Management Co., LLC, Vernon G. Buchanan, Managing Member, 707 S. Washington Blvd., Sarasota, FL 34236 and William A. Small, III, 8702 State Road 52, Hudson, FL 34667.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Eric Nelson, Market Representation Manager, Ford Motor Company, 101 Southhall Lane, Suite 300, Maitland, FL 32751.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Mod Cycles Corp., intends to allow the establishment of Two Oceans Moped Rental Inc., as a dealership for the sale of Yumbo motorcycles, at 1910 N. Roosevelt Blvd., Key West (Monroe County), Florida 33040, on or after July 15, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Two Oceans Moped Rental Inc. are dealer operator(s): Bubba Gallaway, 1910 N Roosevelt Blvd., Key West, FL 33166; principal investor(s): Dennis Saviano, 1910 N. Roosevelt Blvd., Key West, FL 33166.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Raul Romero, Jr., Sales Manager, Mod Cycles Corp., 7547 N. W. 52nd Street, Miami, FL 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Mod Cycles Corp., intends to allow the establishment of Discount Scooters as a dealership for the sale of Yumbo motorcycles, at 408 N. Howard Ave. #6, Tampa (Hillsborough County), Florida 33606, on or after July 15, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters are dealer operator(s): Brooke S. Gentile, 408 N. Howard Ave. #6, Tampa, FL 33606; principal investor(s): Brooke S. & Tyde J. Gentile, 408 N. Howard Ave. #6, Tampa, FL 33606.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer

License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Raul Romero, Jr., Sales Manager, Mod Cycles Corp., 7547 N. W. 52nd Street, Miami, FL 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Mod Cycles Corp. intends to allow the establishment of Motor Land Sport as a dealership for the sale of Yumbo motorcycles, at 100 Colonial Center Parkway, Ste. 2, Lake Mary (Seminole County), Florida 32746, on or after July 15, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Motor Land Sport. are dealer operator(s): Mona Levison, 100 Colonial Center Pkwy. Ste. 2, Lake Mary, FL 32746; principal investor(s): David Levison, 100 Colonial Center Pkwy. Ste. 2, Lake Mary, FL 32746.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Raul Romero, Jr., Sales Manager, Mod Cycles Corp., 7547 N. W. 52nd Street, Miami, FL 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Grandpa's Cycle Center, Inc., as a dealership for the sale of Yumbo motorcycles at 3596 Fowler Street, Ft. Myers (Lee County), Florida 33901 on or after July 15, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Grandpa's Cycle Center, Inc. are dealer operator(s) and principal investor(s): Marion & Linda Stewart, 3596 Fowler Street, Ft. Myers, FL 33901.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Raul Romero, Jr., Sales Manager, Mod Cycles Corp., 7547 N. W. 52nd Street, Miami, FL 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mitsubishi Motors North America, Inc., intends to allow the establishment of Andrew Lippi (Sole Proprietor), d/b/a Key West Mitsubishi, as a sales facility at 3424 N. Roosevelt Blvd., Key West, FL 33049 and a service facility at 5200 U. S. Highway 1, Key West (Monroe County), Florida 33040 on or after July 31, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Andrew Lippi (Sole Proprietor) d/b/a Key West Mitsubishi are dealer operator(s) and principal investor(s): Andrew F. Lippi, 32 Driftwood Drive, Key West, FL 33040.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Andrew D. Stewart, Director, National Franchise Development, Mitsubishi Motors North America, Inc., P. O. Box 6400, Cypress, CA 90630-0064.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Lifan, intends to allow the establishment of Motor Land Sports, as a dealership for the sale of Lifan motorcycles, at 100 Colonial Center Parkway, Suite 230, Lake Mary, (Seminole County), Florida 32771, on or after June 24, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Motor Land Sports are dealer operator(s) and principal investor(s): David Levison, 5331 Vista Club Run, Lake Forest, FL 32771.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Demetri Melekos, Marketing Director, American Lifan, 12150 Shiloh Road, Suite 124, Dallas, TX 75228.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Ford Motor Company, intends to allow the relocation of Garber Ford Mercury, Inc., as a dealership for the sale of Ford motor vehicles, from its present location at 601 North Orange Avenue, Green Cove Springs, Clay County, FL, to a proposed location as followed:

Based on information and belief, the relocated dealership will operate less than two miles from the previous location when measured by furthest to furthest points. Accordingly, the relocation is exempt from protest pursuant to Section 320.642(5)(a), Florida Statutes. Following is a legal description of the property:

A parcel of land situated in lot 9 of a subdivision of the Thomas Travers Grant, section 39, township 5 south, range 26 east, Clay County, Florida, according to map recorded in deed book "I", pages 624 & 625 of the Public Records of said county said parcel being more particularly described as follows:

Commence at the southeast corner of said lot 9, then on the southerly line thereof north 86 degrees 32 minutes 00 seconds west 48.07 feet to the westerly line of State Road No. 15 (US Highway 17); thence on last said line north 27 degrees 29 minutes 00 seconds west 266.45 feet to the point of beginning:

Thence southwesterly on the arc of a curve concave to the northwesterly and having a radius of 30.00 feet, run a chord distance of 46.27 feet the bearing of said chord being south 22 degrees 58 minutes 49 seconds west; thence south 73 degrees 26 minutes 37 seconds west; 651.03 feet to the easterly line of CSX Transportation Railroad (formerly Seaboard Coastline Railroad); thence on last said line north 42 degrees 40 minutes 22 seconds west 881.32 feet, thence north 65 degrees 33 minutes 07 seconds east, 746 feet, more or less, to the center line of Clay Branch; thence along said centerline, in a general southeasterly direction, following the meanderings thereof and along, the center line of said Clay Branch as it existed on November 23, 1973, a distance of 203 feet to a point on said westerly line of State Road No. 15, which lies 788 feet, more or less, from the point to the beginning; thence on said easterly

line south 27 degrees 29 minutes 00 seconds east 788 feet, more or less, to the point of beginning, being 15.72 acres, more or less, in area.

The name and address of the dealer operator(s) and principal investor(s) of Garber Ford Mercury, Inc. are: dealer operator(s): Richard J. Garber, R. Michael Dicken, 6200 State Street, Suite 2, Saginaw, MI 48603 and Ronald T. Harris, Jr., 601 North Orange Ave., Green Cove Springs, FL 32043; principal investor(s): Richard J. Garber Trust, Richard J. Garber, Trustee, 6200 State Street, Suite 2, R. Michael Dicken Revocable Trust, R. Michael Dicken, Trustee, 6200 State Road, Suite 2, Saginaw, MI 48603 and Ronald T. Harris, Jr., 601 North Orange Ave., Green Cove Springs, FL 32043.

The notice indicates an intent to relocate the franchise in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Eric Nelson, Market Representation Manager, Ford Motor Company, 101 Southhall Lane, Suite 300, Maitland, FL 32751.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, DaimlerChrysler Motors Company, LLC, intends to allow the establishment of Arrigo Enterprises, Inc., as a dealership for the sale of Chrysler and Jeep vehicles, at a temporary proposed address of 2101 Okeechobee Blvd., West Palm Beach (Palm Beach County), FL 33409 on a temporary basis, and may then relocate to 6500 Okeechobee Blvd., West Palm Beach (Palm Beach County), FL 33409 on or after July 11, 2003. Alternatively, it may relocate directly to 6500 Okeechobee Blvd. However, in any event these two locations will not be open for business at the same time. This proposed dealership is

a replacement dealership for Florida Chrysler Plymouth, Inc., which is currently located at 541 Military Trail, West Palm Beach, Florida, which will close upon the establishment of Arrigo Enterprises, Inc.

The name and address of the dealer operator(s) and principal investor(s) of Arrigo Enterprises, Inc. are dealer operator(s) and principal investor(s): James J. Arrigo, 2101 Okeechobee Blvd., West Palm Beach, FL 33409.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: P.A. Licina, Director, Southeast Business Center, DaimlerChrysler Motors Company, LLC, 10300 Boggy Creek Rd., Ste. 110, CIMS 200-01-10, Orlando, FL 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the establishment of Johnsons' Select Motorcars, Inc. d/b/a Johnsons' Suzuki, as a dealership for the sale of Suzuki automobiles, at 1850 S. E. Highway 19, Crystal River (Citrus County), Florida 34429 on or after July 24, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Johnsons' Select Motorcars, Inc. d/b/a Johnsons' Suzuki are dealer operator(s): Dan Johnson and Billy Johnson, 1850 S. E. Highway 19, Crystal River, FL 34429; principal investor(s): Dan Johnson, 1850 S. E. Highway 19, Crystal River, FL 34429.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris White, National Dealer Development Manager, 3251 E. Imperial Hwy., P. O. Box 1100, Brea, California 92822-1100.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the establishment of PK Motors, Inc. as a dealership for the sale of Suzuki automobiles, at 2725 US 1, South, St. Augustine (St. Johns County), Florida 32086 on or after July 1, 2004.

The name and address of the dealer operator(s) and principal investor(s) of PK Motors, Inc. are dealer operator(s): Bryan C. Parker, 2725 US 1 South, St. Augustine, FL 32086; principal investor(s): Bryan C. Parker, James H. Kimbrough, Sr. and Elton S. Wetteland, 2725 US 1, South, St. Augustine, FL 32086.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris White, National Dealer Development Manager, 3251 E. Imperial Hwy., P. O. Box 1100, Brea, California 92822-1100.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Suzuki Motor Corporation intends to allow the establishment of Bob Tyler Suzuki, Inc., as a dealership for the sale of Suzuki automobiles at 6381 Pensacola Blvd., Pensacola (Escambia County), Florida 32505, on or after March 15, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Bob Tyler Suzuki, Inc. are dealer operator(s) and principal investor(s): Robert D. Tyler, 6381 Pensacola Blvd., Pensacola, FL 32505.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris White, National Dealer Development Manager, American Suzuki Motor Corporation, 3251 E. Imperial Hwy., P. O. Box 1100, Brea California 92822-1100.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Isuzu Motors Inc., intends to allow the establishment of Americas Truck and Equipment, LLC d/b/a Gulfstream Isuzu Truck, as a dealership for the sale of Isuzu motor vehicles, at 15151 West Dixie Highway, North Miami Beach (Dade County), Florida 33162, on or after July 11, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Americas Truck and Equipment, LLC d/b/a Gulfstream Isuzu Truck are dealer operator(s): Francisco Novoa, 11111 Biscayne Blvd., Miami, FL 33181; principal investor(s): Umberto Petricca, 11111 Biscayne Blvd., Miami, FL 33181.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Edwin T. Robinson, Operating Manager-Dealer Network, American Isuzu Motors Inc., 13340 183rd Street, Cerritos, CA 90702-6007.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
NOTICE OF WITHDRAWAL**

Notice is hereby given that the Adjusted Notice of Hospice Program Fixed Need Pool, as noticed in Vol. 29 No. 24, Florida Administrative Weekly dated June 13, 2003, which indicated a need for one hospice program in Hospice Subdistrict 3A, Subdistrict 4A and Subdistrict 4B, is withdrawn.

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Pasco	District: 5	
ID #: 0300001	Decision: A	Issue Date: 7/11/2003
Facility/Project: Community Hospital		
Applicant: New Port Richey Hospital		
Project Description: Add 10 adult psychiatric beds		
Proposed Project Cost: \$0		

**NOTICE OF HOSPITAL FIXED NEED POOLS FOR
PSYCHIATRIC AND SUBSTANCE ABUSE BEDS**

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for January 2009 pursuant to the provisions of Rules 59C-1.008, 59C-1.040, and 59C-1.041, F.A.C. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 220, M.S. 28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 11, 2003.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first

cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Psychiatric and Substance Abuse Net Bed Need

	Adult Psychiatric Beds Net Adjusted <u>Bed Need</u>	Children & Adolescent Psychiatric Beds Net Adjusted <u>Bed Need</u>	Adult Substance Abuse Beds Net Adjusted <u>Bed Need</u>
District 1	0	0	0
District 2	0	0	0
District 3	0	0	0
District 4	0	0	0
District 5	0	0	0
District 6	0	0	0
District 7	0	57	0
District 8	0	0	0
District 9	0	0	0
District 10	0	0	0
District 11	0	0	0
Total Statewide	0	57	0

NOTICE OF HOSPITAL FIXED NEED POOLS FOR ACUTE CARE HOSPITAL BEDS

The Agency for Health Care Administration publishes bed need for acute care hospital beds pursuant to the provisions of Rules 59C-1.008 and 59C-1.038, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 220, MS 28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 11, 2003.

Any person who identifies any error in the published bed need must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten

day time period will result in no adjustment to the bed need for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Acute Care Hospital Bed Need

	<u>Bed Need</u>
District 1	
Subdistrict 1 (Escambia, Santa Rosa)	0
Subdistrict 2 (Okaloosa, Walton)	0
District 2	
Subdistrict 1 (Bay, Calhoun, Franklin, Gulf, Holmes, Jackson, Washington)	0
Subdistrict 2 (Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla)	0
District 3	
Subdistrict 1 (Columbia, Hamilton, Suwannee)	0
Subdistrict 2 (Alachua, Bradford, Dixie, Gilchrist, Lafayette, Levy, Union)	0
Subdistrict 3 (Putnam)	0
Subdistrict 4 (Marion)	0
Subdistrict 5 (Citrus)	0
Subdistrict 6 (Hernando)	0
Subdistrict 7 (Lake, Sumter)	0
District 4	
Subdistrict 1 (Nassau, part of Duval)	0
Subdistrict 2 (Baker, Clay, part of Duval)	0
Subdistrict 3 (Saint Johns, part of Duval)	0
Subdistrict 4 (Flagler, East Volusia)	0
Subdistrict 5 (West Volusia)	0
District 5	
Subdistrict 1 (West Pasco)	0
Subdistrict 2 (East Pasco)	0
Subdistrict 3 (North Pinellas)	0
Subdistrict 4 (South Pinellas)	0

District 6	
Subdistrict 1 (Hillsborough)	0
Subdistrict 2 (Polk)	0
Subdistrict 3 (Manatee)	0
Subdistrict 4 (Hardee)	0
Subdistrict 5 (Highlands)	0
District 7	
Subdistrict 1 (Brevard)	0
Subdistrict 2 (Orange)	0
Subdistrict 3 (Osceola)	0
Subdistrict 4 (Seminole)	0
District 8	
Subdistrict 1 (Charlotte)	0
Subdistrict 2 (Collier)	0
Subdistrict 3 (Desoto)	0
Subdistrict 4 (Glades, Hendry)	0
Subdistrict 5 (Lee)	0
Subdistrict 6 (Sarasota)	0
District 9	
Subdistrict 1 (Indian River)	0
Subdistrict 2 (St. Lucie, Martin)	0
Subdistrict 3 (Okeechobee)	0
Subdistrict 4 (North Palm Beach)	0
Subdistrict 5 (South Palm Beach)	0
District 10	
(Broward)	0
District 11	0
Subdistrict 1 (Dade)	0
Subdistrict 2 (Monroe)	0
Total Statewide	0

NOTICE OF HOSPITAL FIXED NEED POOLS FOR COMPREHENSIVE MEDICAL REHABILITATION BEDS

The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for January 2009 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, F.A.C. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 220, MS 28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 11, 2003.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the

error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Comprehensive Medical Rehabilitation Bed Need

	Net Adjusted Bed Need
District 1	0
District 2	10
District 3	0
District 4	0
District 5	0
District 6	0
District 7	0
District 8	0
District 9	0
District 10	0
District 11	0
Total Statewide	10

NOTICE OF FIXED NEED POOL FOR NEONATAL INTENSIVE CARE SERVICES FOR LEVEL II AND LEVEL III BEDS

The Agency for Health Care Administration has projected a fixed need pool for Level II and Level III neonatal intensive care unit services for January 2006, pursuant to the provisions of Rules 59C-1.008 and 59C-1.042, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 220, M.S. 28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 11, 2003.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and

republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 30 days of this publication or the right to a hearing is waived.

Fixed Need Pool Projections

Neonatal Intensive Care Level II & Level III Services

	Level II Net Need	Level III Net Need
District 1	0	4
District 2	0	0
District 3	0	2
District 4	0	0
District 5	0	0
District 6	0	0
District 7	0	0
District 8	0	0
District 9	0	0
District 10	0	0
District 11	0	10
Statewide Total	0	16

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the following policies for review and comment on MyFlorida.com at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>. Staff Development in Residential and Correctional Facilities (department-wide policy type B) – sets forth the requirements of orientation and in-service training of staff and volunteers in residential and correctional programs. This is the second of two – 20 working day review and comment periods.

Comprehensive Physical Assessment and Health Related History (department-wide policy type B) – requires youth admitted to physical custody of secure detention center and/or placed in a residential/correctional facility shall have an individual, standardized professional, health history and comprehensive physical assessment conducted and documented in the individual healthcare record, within specified timeframes. This is the second of two – 20 working day review and comment periods.

Behavior Management in Residential and Correctional Facilities (department-wide policy type B) – requires that all residential and correctional programs under its direction, either state-operated or contracted, will have a behavior management system in place that insures offenders receive fair and consistent consequences for their behavior. This is the first of two – 20 working day review and comment periods.

Perquisites (department-wide policy type A) – provides a mechanism for managers to request approval from the Deputy Secretary, Secretary or their designee for perquisites on behalf of employees. This is the first of two – 20 working day review and comment periods.

Please submit comments to the contact persons identified on the above Website. The closure date for submission of comments on all four of the above policies is August 12, 2003. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On July 14, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of above-named subject, license number RN 2545922. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 14, 2003, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the certificate of Jonathan Henry, certificate number 7151528591. 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.

John O. John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health is soliciting nominations to serve on the Drug Wholesaler Advisory Council. The Drug Wholesaler Advisory Council was established in the Prescription Drug Protection Act (Senate Bill 2312, Laws of Florida, Chapter 2003-155) in Section 499.01211, Florida Statutes. The council is to review the Florida Drug and Cosmetic Act, Chapter 499, Florida Statutes, (the Act) and the rules adopted thereunder to provide input to the department regarding all proposed rules to administer the Act, make written recommendation to the secretary regarding the listing of all specified drugs pursuant to Section 499.0121(6)(e), F.S., make recommendations to the department to improve the protection of the prescription drugs and public health, make recommendations to improve coordination with other states' regulatory agencies and the federal government concerning the wholesale distribution of drugs, and make recommendations to minimize the impact of regulation of the wholesale distribution industry while ensuring protection of the public health. Nominations are requested for any and all of the following eleven positions (you do not have to be a member of the group represented on the council to make a nomination for that position).

Number of Positions	Council Representation	Minimum Qualifications
1	DOH Secretary or designee	
1	AHCA Secretary or designee	
3	Primary drug wholesalers	employee of primary drug wholesaler licensed under the Act & wholesaler operates nationally
1	Secondary drug wholesalers	employee of secondary wholesaler licensed under the Act
1	Retail Pharmacy Chains	employee
1	Board of Pharmacy	member pharmacist licensed under Chapter 465
1	Physicians	licensed pursuant to Chapter 458 or 459
1	Hospitals	pharmacist licensed under Chapter 465 employed by hospital
1	Pharmaceutical Manufacturers	employee

Submissions should clearly identify the position to which the nomination is made and include the nominee's name, mailing address, telephone number, and a narrative description of the person's qualifications to serve on the council. Submissions should be mailed to the attention of Jerry Hill, R.Ph., C.Ph., Chief of Statewide Pharmaceutical Services, Florida Department of Health, 2818-A Mahan Drive, Tallahassee, Florida 32308, so that the submissions are actually received no later than August 12, 2003.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Department of Children and Family Services, Office on Homelessness announces the following solicitation of applications for the Challenge Grant and the Homeless Housing Assistance Grant programs to lead agencies for homeless assistance continuums of care. All designated lead agencies are invited to apply.

DEADLINE FOR SUBMISSION OF CHALLENGE GRANT APPLICATION:

Tuesday, September 9, 2003, 5:00 p.m.

SUBMIT TO: Department of Children and Family Services
Office on Homelessness
Building 2, Room 103-C
1317 Winewood Boulevard
Tallahassee, FL 32399-0700

Pursuant to Section 420.622 Florida Statutes, the Department of Children and Family Services through the State Office on Homelessness, hereby solicits applications for Challenge Grants to lead agencies for homeless assistance continuums of care designated by the State Office on Homelessness. A lead agency may be a local homeless coalition, municipal or county government, or other public agency, or a private not for profit corporation. Such grants may be up to \$137,500 per lead agency.

To qualify for the grant, a lead agency must develop and implement a local homeless assistance continuum of care plan for its designated catchment area.

Preference will be given to those lead agencies that have demonstrated the ability of their continuum of care to provide quality services to homeless persons and the ability to leverage federal homeless assistance under the Stewart B. McKinney Act and private funding for the provision of services to homeless persons. Preference will also be given to lead agencies in catchment areas with the greatest need for the provision of housing to the homeless, relative to the population of the catchment area.

Lead agencies wishing to apply for such homeless housing assistance grants should request an application package from:

Office on Homelessness
1317 Winewood Boulevard
Tallahassee, FL 32399-0700
(850)922-4691

DEADLINE FOR SUBMISSION OF HOMELESS HOUSING ASSISTANCE GRANT APPLICATIONS:

Tuesday, September 30, 2003, 5:00 p.m.

SUBMIT TO: Department of Children and Families
Office on Homelessness
Building 2, Room 103-C
1317 Winewood Boulevard
Tallahassee, FL 32399-0700

Pursuant to Section 420.622, Florida Statutes, the Department of Children and Families, through the State Office on Homelessness, hereby solicits applications for homeless housing assistance grants to lead agencies for homeless assistance continuums of care designated by the State Office on Homelessness. A lead agency may be a local homeless coalition, municipal, or county government, or other public agency, or a private not-for-profit corporation. Such grants may be up to \$750,000 per project, with no more than two grants awarded annually in any given continuum of care catchment area.

To qualify for the grant, a lead agency must develop and implement a local homeless assistance continuum of care plan for its designated catchment area.

Preference will be given to those lead agencies that build or rehabilitate the greatest number of units and who leverage additional private and public funds, particularly federal funds designated for construction and rehabilitation of transitional, or permanent housing for homeless persons. Preference will also be given to lead agencies in catchment areas with the greatest need for the provision of housing to the homeless, relative to the population of the catchment area.

Lead agencies wishing to apply for such homeless housing assistance grants should request an application from:

Office on Homelessness
1317 Winewood Boulevard
Tallahassee, FL 32399-0700
(850)922-4691

For additional information, you may contact Tom Pierce, Executive Director, Office on Homelessness, (850)922-9850, or email: Tom_Pierce@dcf.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at http://www.dbf.state.fl.us/banking/cu_expansion.html. Comments may be submitted to the Deputy

Director, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., August 15, 2003):

Name and Address of Applicant: Jax Metro Credit Union, 30 East 27th Street, Jacksonville, Florida 32206

Expansion Includes: Zip code area in Duval County.

Received: July 2, 2003

Name and Address of Applicant: Central Florida Postal Credit Union, 301 East Michigan, Orlando, Florida 32806

Expansion Includes: Select group.

Received: July 1, 2003

Name and Address of Applicant: Miami Postal Service Credit Union, Post Office Box 520622, Miami, Florida 33152-0622

Expansion Includes: All persons who live, work, or worship within a fifteen-mile radius of the MPSCU Main or Branch Office.

Received: July 8, 2003

NOTICE IS HEREBY GIVEN that the following carrier, pursuant to Section 627.6475(5), F.S., has elected to become 'risk-assuming': Preferred Medical Plan, Inc. Public comments will be received until August 15, 2003.

Comments may be addressed to Larry Daniels, Bureau of Life and Health Forms and Rates, 200 East Gaines Street, Tallahassee, Florida 32399-0327, (850)922-3152, Ext. 5026.

**DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION**

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DI4-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DI4-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THEY ARE LISTED UNDER THE STATE OF HOME OFFICE LOCATION. INSTITUTIONS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT ACCEPTING NEW PUBLIC DEPOSIT ACCOUNTS. DEPOSITORIES HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

BIRMINGHAM

AMSOUTH BANK
COMPASS BANK
REGIONS BANK
SOUTHTRUST BANK

MONTGOMERY

COLONIAL BANK

WARRIOR

THE BANK
BRANCHES OF THIS QPD CONDUCT BUSINESS IN FLORIDA UNDER THE NAMES THE BANK AND EMERALD COAST BANK

FLORIDA

ALACHUA

FIRST NATIONAL BANK OF ALACHUA

APALACHICOLA

COASTAL COMMUNITY BANK

ARCADIA

FIRST STATE BANK OF ARCADIA

AVENTURA

TURNBERRY BANK

BARTOW

CITRUS & CHEMICAL BANK
COMMUNITY NATIONAL BANK AT BARTOW

BELLE GLADE

BANK OF BELLE GLADE

BOCA RATON

FIRST SOUTHERN BANK

BONIFAY

BANK OF BONIFAY

BRADENTON

COAST BANK OF FLORIDA
FIRST BRADENTON BANK
FIRST NATIONAL BANK & TRUST
FLAGSHIP NATIONAL BANK
GOLD BANK

BRANDON

PLATINUM BANK

BROOKSVILLE

HERNANDO COUNTY BANK

CANTONMENT

CITIZENS & PEOPLES BANK, N.A.

CAPE CORAL

RIVERSIDE BANK OF THE GULF COAST

CARRABELLE

GULF STATE COMMUNITY BANK

CHIEFLAND

DRUMMOND COMMUNITY BANK

CLEWISTON

FIRST BANK OF CLEWISTON
FIRST FEDERAL SAVINGS BANK OF THE GLADES

COOPER CITY

FIRST WESTERN BANK

CORAL GABLES

BANKUNITED, F.S.B.
GIBRALTAR BANK, F.S.B.
METRO BANK OF DADE COUNTY

CRAWFORDVILLE

CITIZENS BANK – WAKULLA
WAKULLA BANK

CRESTVIEW

FIRST NATIONAL BANK OF CRESTVIEW

CRYSTAL RIVER

CRYSTAL RIVER BANK

DADE CITY

FIRST NATIONAL BANK OF PASCO

DANIA BEACH

COMMUNITY BANK OF BROWARD

DAVIE

REGENT BANK

DEBARY

FIRST COMMUNITY BANK

DESTIN

DESTIN BANK

DUNNELLON

DUNNELLON STATE BANK

ENGLEWOOD

ENGLEWOOD BANK
PENINSULA BANK

FERNANDINA BEACH

FIRST COAST COMMUNITY BANK
FIRST NATIONAL BANK OF NASSAU COUNTY

FORT LAUDERDALE

BANKATLANTIC
EQUITABLE BANK
LANDMARK BANK, N.A.

FORT MYERS

ATLANTIC STATES BANK
BUSEY BANK FLORIDA
EDISON NATIONAL BANK

FORT PIERCE

HARBOR FEDERAL SAVINGS BANK
RIVERSIDE NATIONAL BANK OF FLORIDA

FORT WALTON BEACH

BEACH COMMUNITY BANK
FIRST CITY BANK OF FLORIDA
FIRST NATIONAL BANK & TRUST

FROSTPROOF

CITIZENS BANK OF FROSTPROOF

GAINESVILLE

MERCHANTS & SOUTHERN BANK
MILLENNIUM BANK

GRACEVILLE

*BANK OF JACKSON COUNTY
PEOPLES BANK OF GRACEVILLE

GROVELAND

PEOPLES STATE BANK OF GROVELAND

HAINES CITY

FIRST NATIONAL BANK OF POLK COUNTY

HALLANDALE

DESJARDINS FEDERAL SAVINGS BANK

HOMESTEAD

COMMUNITY BANK OF FLORIDA
FIRST NATIONAL BANK OF SOUTH FLORIDA

HOMOSASSA SPRINGS

HOMOSASSA SPRINGS BANK

IMMOKALEE

FLORIDA COMMUNITY BANK

INDIANTOWN

FIRST BANK OF INDIANTOWN

INVERNESS

BANK OF INVERNESS

JACKSONVILLE

FIRST ALLIANCE BANK

JACKSONVILLE BEACH

OCEANSIDE BANK

KEY LARGO

TIB BANK OF THE KEYS

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KISSIMMEE

FIRST NATIONAL BANK OF OSCEOLA COUNTY

LADY LAKE

CITIZENS FIRST BANK

LAKE CITY

CNB NATIONAL BANK

COLUMBIA COUNTY BANK

PEOPLES STATE BANK

LAKELAND

FLORIDAFIRST BANK

LAKE MARY

COMMUNITY UNITED BANK OF FLORIDA

LAKE WALES

AMERICAN BANK & TRUST OF POLK COUNTY

LARGO

Premier Community Bank of Florida

LAUDERHILL

UNION BANK OF FLORIDA

LEESBURG

FIRST FEDERAL SAVINGS BANK OF LAKE COUNTY

LIVE OAK

FIRST FEDERAL SAVINGS BANK OF FLORIDA

LONGWOOD

LIBERTY NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MALONE

PCB, THE COMMUNITY BANK

MARATHON

MARINE BANK OF THE FLORIDA KEYS

MAYO

LAFAYETTE STATE BANK

MIAMI

BAC FLORIDA BANK

CITY NATIONAL BANK OF FLORIDA

COCONUT GROVE BANK

COMMERCIAL BANK OF FLORIDA

CONTINENTAL NATIONAL BANK OF MIAMI

EAGLE NATIONAL BANK OF MIAMI

EASTERN NATIONAL BANK

ESPIRITO SANTO BANK

EXECUTIVE NATIONAL BANK

GULF BANK

HEMISPHERE NATIONAL BANK 09/16/2002

INTERAMERICAN BANK, F.S.B.

INTERNATIONAL BANK OF MIAMI, N.A.

MELLON UNITED NATIONAL BANK

NORTHERN TRUST BANK OF FLORIDA, N.A.

OCEAN BANK

SOFISA BANK OF FLORIDA

TOTALBANK

TRANSATLANTIC BANK

U.S. CENTURY BANK

MILTON

FIRST NATIONAL BANK OF FLORIDA

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST NATIONAL BANK OF MOUNT DORA

FLORIDA CHOICE BANK

NAPLES

BANK OF NAPLES
COMMUNITY BANK OF NAPLES, N.A.
FIFTH THIRD BANK, FLORIDA
FIRST NATIONAL BANK OF FLORIDA
ORION BANK

NEW SMYRNA BEACH

FRIENDS BANK

NICEVILLE

PEOPLES NATIONAL BANK

NORTH LAUDERDALE

SECURITY BANK, N.A.

NORTH MIAMI

KISLAK NATIONAL BANK

NORTH PALM BEACH

ENTERPRISE NATIONAL BANK OF PALM BEACH

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

FLORIDA CITIZENS BANK

OKEECHOBEE

BIG LAKE NATIONAL BANK

ORANGE PARK

FIRST NATIONAL BANK
HERITAGE BANK OF NORTH FLORIDA

ORLANDO

CENTURY NATIONAL BANK
MERCANTILE BANK
SOUTHERN COMMUNITY BANK
UNITED HERITAGE BANK

ORMOND BEACH

COQUINA BANK

OVIEDO

CITIZENS BANK OF OVIEDO

PAHOKEE

FIRST COMMUNITY BANK OF PALM BEACH COUNTY

PALATKA

FIRST FEDERAL BANK OF NORTH FLORIDA
PUTNAM STATE BANK

PALM COAST

CYPRESS BANK

PALM HARBOR

PEOPLES BANK

PANAMA CITY

BAY BANK & TRUST COMPANY
FIRST NATIONAL BANK NORTHWEST FLORIDA
PEOPLES FIRST COMMUNITY BANK
VISION BANK, F.S.B.

PEMBROKE PINES

POINTE BANK

PENSACOLA

BANK OF PENSACOLA
BANK OF THE SOUTH

PERRY

CITIZENS BANK OF PERRY

PORT RICHEY

GULFSTREAM COMMUNITY BANK

PORT ST. LUCIE

FIRST PEOPLES BANK

QUINCY

QUINCY STATE BANK

ST. AUGUSTINE

BANK OF ST. AUGUSTINE
PROSPERITY BANK

ST. CLOUD

PUBLIC BANK

ST. PETERSBURG

FIRST COMMUNITY BANK OF AMERICA
REPUBLIC BANK
UNITED BANK & TRUST COMPANY

SANTA ROSA BEACH

COMMERCE SOUTH BANK

SEBRING

HEARTLAND NATIONAL BANK
HIGHLANDS INDEPENDENT BANK

SOUTH MIAMI

FIRST NATIONAL BANK OF SOUTH MIAMI

SPRING HILL

FIRST KENSINGTON BANK

STARKE

COMMUNITY STATE BANK

STUART

FIRST NATIONAL BANK & TRUST OF THE TREASURE
COAST
GULFSTREAM BUSINESS BANK

TALLAHASSEE

CAPITAL CITY BANK
TALLAHASSEE STATE BANK
THE BANK OF TALLAHASSEE

TAMPA

FIRST CITRUS BANK
FLORIDA BANK, N.A.
SOUTHERN EXCHANGE BANK

TEQUESTA

INDEPENDENT COMMUNITY BANK

TRENTON

TRI-COUNTY BANK

UMATILLA

UNITED SOUTHERN BANK

VALPARAISO

VANGUARD BANK & TRUST COMPANY

VERO BEACH

INDIAN RIVER NATIONAL BANK

WAUCHULA

FIRST NATIONAL BANK OF WAUCHULA
WAUCHULA STATE BANK

WEST PALM BEACH

FIDELITY FEDERAL BANK & TRUST
GRAND BANK & TRUST OF FLORIDA

WEWAHITCHKA

BANKTRUST OF FLORIDA

WILLISTON

PERKINS STATE BANK

WINTER PARK

BANKFIRST

ZEPHYRHILLS

COMMUNITY NATIONAL BANK OF PASCO COUNTY

GEORGIA

ATLANTA

SUNTRUST BANK

DARIEN

SOUTHEASTERN BANK

LOUISIANA

NEW ORLEANS

WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON

ONEUNITED BANK

MINNESOTA

EDINA

INTER SAVINGS BANK, F.S.B.

NEW YORK

NEW YORK CITY

INTERVEST NATIONAL BANK

NORTH CAROLINA

CHARLOTTE

BANK OF AMERICA, N.A.
WACHOVIA BANK, N.A.

ROCKY MOUNT

RBC CENTURA BANK

WINSTON-SALEM

BRANCH BANKING & TRUST COMPANY

OHIO

CINCINNATI

PROVIDENT BANK

TENNESSEE

MEMPHIS

UNION PLANTERS BANK, N.A.

VIRGINIA

RESTON

CITIBANK, F.S.B.

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

ADMIRALTY BANK

PALM BEACH GARDENS
MERGED INTO RBC CENTURA BANK (ROCKY
MOUNT, NORTH CAROLINA).
CITIBANK, F.S.B.
SAN FRANCISCO, CALIFORNIA
CHANGED ITS HOME OFFICE LOCATION TO RESTON,
VIRGINIA.

DEUTSCHE BANK FLORIDA, N.A.

PALM BEACH
WITHDRAWN FROM PROGRAM EFFECTIVE 05/28/2003.

WEWAHITCHKA STATE BANK

WEWAHITCHKA
CHANGED ITS NAME TO BANKTRUST OF FLORIDA.

Section XIII

Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 7, 2003 and July 11, 2003

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF INSURANCE

4-137.001	7/7/03	7/27/03	29/12	
4-138.001	7/7/03	7/27/03	29/12	

DEPARTMENT OF REVENUE

12-3.012	7/11/03	7/31/03	29/17	
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Sales and Use Tax

12A-1.038	7/11/03	7/31/03	29/17	
12A-1.0935	7/11/03	7/31/03	29/17	
12A-1.095	7/11/03	7/31/03	29/17	
12A-1.0955	7/11/03	7/31/03	29/17	
12A-17.004	7/11/03	7/31/03	29/17	
12A-19.020	7/11/03	7/31/03	29/17	
12A-19.100	7/11/03	7/31/03	29/17	

Miscellaneous Tax

12B-8.006	7/11/03	7/31/03	29/17	
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DEPARTMENT OF CITRUS

20-107.001	7/9/03	7/29/03	29/17	
20-107.002	7/9/03	7/29/03	29/17	
20-107.003	7/9/03	7/29/03	29/17	
20-107.004	7/9/03	7/29/03	29/17	
20-107.005	7/9/03	7/29/03	29/17	29/24
20-107.006	7/9/03	7/29/03	29/17	29/24

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF CORRECTIONS

33-302.101	7/10/03	7/30/03	29/22	
33-302.109	7/10/03	7/30/03	29/22	

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

60BB-2.036	7/9/03	7/29/03	29/16	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

61G7-10.0013	7/10/03	7/30/03	28/51	
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Board of Professional Engineers

61G15-22.002	7/10/03	7/30/03	29/20	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

62S-3.003	7/10/03	7/30/03	29/18	
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-30.002	7/10/03	7/30/03	29/21	
64B8-30.007	7/10/03	7/30/03	29/21	
64B8-30.008	7/10/03	7/30/03	29/21	
64B8-30.019	7/10/03	7/30/03	29/21	

Board of Occupational Therapy

64B11-5.006	7/7/03	7/27/03	29/23	
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Board of Respiratory Care

64B32-3.002	7/9/03	7/29/03	29/22	
64B32-6.004	7/9/03	7/29/03	29/22	