

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF INSURANCE

RULE TITLE: Medical Malpractice Insurance Rate Filings
 PURPOSE AND EFFECT: To implement the provisions of CS/SB 2-D relating to medical malpractice insurance, as passed by the Legislature on August 13, 2003.

RULE NO.: 4-170.016

SUBJECT AREA TO BE ADDRESSED: Required items to be submitted in medical malpractice rate filings, and procedures for reviewing such filings.

SPECIFIC AUTHORITY: 624.308(1) FS.
 LAW IMPLEMENTED: 624.307(1), 627.062 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., October 16, 2003
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Milnes, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-5306, E-mail milnesm@dfs.state.fl.us.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. A LIST OF SPECIFIC TOPICAL AREAS TO BE DISCUSSED WILL BE AVAILABLE AFTER OCTOBER 1 FROM THE CONTACT PERSON ABOVE.

DEPARTMENT OF INSURANCE

RULE TITLE: Reports by Insurers of Professional Liability Claims and Actions Required
 PURPOSE AND EFFECT: To implement the provisions of CS/SB 2-D relating to medical malpractice insurance, as passed by the Legislature on August 13, 2003.

RULE NO.: 4-171.003

SUBJECT AREA TO BE ADDRESSED: To develop rules adopting criteria and parameters for filing premium and loss information and revised reporting requirements in the closed claim database.

SPECIFIC AUTHORITY: 624.308(1), 627.912(7) FS.
 LAW IMPLEMENTED: 624.307(1), 627.912 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., October 16, 2003
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lee Roddenberry, Bureau Chief, Bureau of Property and Casualty Solvency, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0329, (850)413-5200, E-mail roddenberryl@dfs.state.fl.us.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. A LIST OF SPECIFIC TOPICS TO BE DISCUSSED WILL BE AVAILABLE AFTER OCTOBER 1 FROM THE CONTACT PERSON ABOVE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Teacher Certification Examination
 RULE NO.: 6A-4.0021

PURPOSE AND EFFECT: The purpose of this rule development is to establish standard passing scores for the General Knowledge Test, the Kindergarten – Grade 6 subject area examinations, and the Exceptional Student Education subject area examination; and to adopt and publish a revised set of the competencies and skills required for teacher certification in Florida.

The effect is that standard passing scores will be established for the General Knowledge Test, the Kindergarten – Grade 6 subject area examination, and the Exceptional Student Education subject area examination and new and revised competencies and skills will be used on the Florida Teacher Certification Examinations.

SUBJECT AREA TO BE ADDRESSED: Florida Teacher Certification Examination.

SPECIFIC AUTHORITY: 1012.56(8) FS.
 LAW IMPLEMENTED: 1012.56 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. – 4:00 p.m., October 6, 2003
 PLACE: Department of Education, Room 1721/25, 325 West Gaines Street, Tallahassee, FL 32399
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Kathy Fearon, Accountability, Research, and Measurement, 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 TRANSPORTATION

RULE CHAPTER TITLE: Highway Beautification and Landscape Management
 RULE CHAPTER NO.: 14-40
 RULE TITLES: Grant Application Process
 RULE NOS.: 14-40.020
 Florida Highway Beautification Council
 Grant Award Process 14-40.022

PURPOSE AND EFFECT: This amendment to Part II of Rule Chapter 14-40, F.A.C., proposes several minor changes. The Florida Highway Beautification Council Grant Application also is being revised to include these changes. The due dates for applications are amended.

SUBJECT AREA TO BE ADDRESSED: This is an amendment to Part II of Rule Chapter 14-40, F.A.C.

SPECIFIC AUTHORITY: 339.2405 FS.

LAW IMPLEMENTED: 339.2405 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: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

PART II FLORIDA HIGHWAY BEAUTIFICATION COUNCIL GRANTS

14-40.020 Grant Application Process.

(1) Definitions.

(a) “Agreement” means the contract between the Applicant and the Department setting forth the terms of the grant.

(b) “Applicant” means a local governmental entity, as defined in Section 11.45(1)(d), Florida Statutes, or a local highway beautification council.

(c) “Department” means the Florida Department of Transportation.

(d) “FHBC” means the Florida Highway Beautification Council.

(e) “Grant” means funds provided by the Department to Applicants, pursuant to this Rule Chapter.

(f) “Grant Application” means the Florida Highway Beautification Council Grant Application, Form 850-060-01, Rev. 01/04 04/03, incorporated herein by reference. Copies of the grant application form and instructions for completing the grant application may be obtained from Department District Maintenance Offices, District Public Information Offices, Area Maintenance Offices, Central Public Information Office, by writing to the Environmental Management Office, 605 Suwannee Street, Mail Station 37, Tallahassee, Florida 32399-0450, or through the Department website at <http://www.dot.state.fl.us/em> ~~http://www11.myflorida.com/em/~~.

(g) “Grant Coordinator” means the Department District employee responsible for the FHBC grant program.

(2) Grant Application.

(a) Grant applications for highway beautification grants from the FHBC must be filed and processed in accordance with this Rule Chapter. When preparing a grant application ~~for the next fiscal year~~, applicants should meet and work with the Grant Coordinator on or about ~~July~~ ~~October~~ 1, to give adequate time for review and revisions before the ~~October~~ ~~February~~ 1, application deadline.

(b) Previous recipients of grants are eligible to submit a grant application if their previous FHBC grant projects are maintained according to the terms of previous agreements.

(c) Applicants must submit grant requests on a completed grant application to the Grant Coordinator having jurisdiction over the state highway on which the beautification project is proposed. Grant applications must be accompanied by the following supporting documents: location map, photographs of existing conditions, one page written project narrative, written or graphic conceptual plan (in accordance with Part I of this Rule Chapter), one paragraph descriptions of each evaluation attribute, photographs or sketches of examples of proposed improvements, list of proposed plant species (scientific and botanical names) and anticipated quantities, anticipated maintenance schedule, proposed means of providing supplemental water, project schedule, and resolutions required in section (g) below.

(d) In order for the FHBC to consider a grant application for any Department fiscal year, ten paper copies or electronic file copies of the completed grant application and supporting documents must be received by the Grant Coordinator by ~~October~~ ~~February~~ 1 of the Department fiscal year. When requested by the Grant Coordinator, additional copies will be provided. Incomplete grant applications, or grant applications that do not comply with state or federal regulations, will be

returned to the applicant. An applicant may amend and resubmit any returned grant application by the October February 1 deadline.

(e) In accordance with Section 215.01, Florida Statutes, the Department’s fiscal year begins on July 1 and ends on June 30.

(f) Applicants may submit an unlimited number of grant applications, for any number of project sites.

(g) The applicant’s governing body must have passed a resolution approving the grant application and authorizing the individual who signs the grant application for the applicant to execute agreements and documents associated with the grant. A copy of such resolution must be included with the application.

Specific Authority 339.2405 FS. Law Implemented 339.2405 FS. History–New 1-19-99, Amended 11-22-01, 3-20-03, 8-10-03,_____.

14-40.022 Florida Highway Beautification Council Grant Award Process.

(1) The FHBC will consider all grant applications submitted by each Grant Coordinator.

(a) The FHBC will evaluate the applications based on the following attributes:

1. Aesthetic value and imaginative conceptual design.
2. Level of local support and community involvement.
3. Cost effectiveness.
4. Feasibility of installation and maintenance.
5. Contribution to improvement of environmental conditions, including litter prevention, erosion control, visual screening, and noise abatement.
6. Use of Florida native wildflowers, and diversity of other desirable native, hybrid native, or noninvasive plant species.
7. Emphasis on low maintenance and water conservation.
8. Use of recycled materials such as mulch, reuse water, or solid yard waste compost.
9. Contribution to an area wide or regional beautification plan.
10. Value to the community.

(b) The FHBC will assign a numerical score to each application by:

1. Reviewing each grant application and assigning a numerical score using the established range of 0 to 10 points for each attribute for a total possible score of 100 points.
2. Totaling all the attribute scores for a total application numerical score.

(c) Grant applications will be ranked in priority by numerical score, the highest numerical score being ranked the highest priority.

(2) The FHBC will provide the Department with a list of prioritized grant applications, with recommended funding levels, and conditions for grant awards, ~~by the first day of the fiscal year in which the funds are available.~~

Specific Authority 339.2405 FS. Law Implemented 339.2405 FS. History–New 3-9-99, Amended 11-22-01, 3-20-03, 8-10-03,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to establish minimum water levels for the following lakes in the following counties: Tusawilla, Alachua County; Bowers, Nicotown and Smith, Marion County; and Indian, Volusia County. The proposed rule amendment would also establish minimum water levels for a wetland system known as “Hopkins Prairie” in Marion County. SUBJECT AREA TO BE ADDRESSED: The proposed rule would establish minimum water levels for the above listed lakes and wetland pursuant to the mandate of Section 373.042, Florida Statutes. Each of these levels would have an associated hydroperiod category. The terms herein are already defined in Chapter 40C-8, F.A.C. As with all minimum levels established by the District, if adopted, the minimum levels in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, October 16, 2003

PLACE: St. Johns River Water Management District, Resource Management Building Room 136 A & B, 4049, Reid Street, Palatka, FL 32177-2529

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma K. Messer, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459, Suncom 860-4459, email: nmesser@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(2) The following minimum surface water levels are established:

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

(1) No change.

LAKE NAME	COUNTY	HYDROPERIOD CATEGORY	MINIMUM INFREQUENT HIGH	MINIMUM FREQUENT HIGH	MINIMUM AVERAGE LEVEL	MINIMUM FREQUENT LOW	MINIMUM INFREQUENT LOW
(a) through (j) No change.							
(k) BOWERS	Marion	Temporarily Flooded		57.1			
		Typically Saturated			54.0		
		Semipermanently Flooded				52.7	
(k) through (tt) renumbered (l) through (uu) No change.							
(vv) HOPKINS PRAIRIE	Marion	Seasonally Flooded		25.8			
		Typically Saturated			23.4		
		Semipermanently Flooded				22.0	
(uu) through (vv) renumbered (ww) through (xx) No change.							
(yy) INDIAN	Volusia	Seasonally Flooded		37.0			
		Typically Saturated			36.1		
		Semipermanently Flooded				34.4	
(ww) through (nnn) renumbered (zz) through (qqq) No change.							
(rrr) NICOTOON	Marion	Seasonally Flooded		54.7			
		Typically Saturated			53.3		
		Semipermanently Flooded				51.9	
(ooo) through (ffff) renumbered (sss) through (jjjj) No change.							
(kkkk) SMITH	Marion	Temporarily Flooded		54.6			
		Typically Saturated			51.4		
		Semipermanently Flooded				50.0	
(gggg) through (qqqq) renumbered (llll) through (vvvv) No change.							
(www) TUSCAWILLA	Alachua	Seasonally Flooded		77.6			
		Typically Saturated			74.6		
		Semipermanently Flooded				73.2	
(rrrr) through (wwww) renumbered (xxxx) through (cccc) No change.							

(3) through (4) No change.

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

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER TITLE:	Administration of Federal Aging Programs	RULE CHAPTER NO.:	58A-1
RULE TITLES:	Definitions	RULE NOS.:	58A-1.001
	Responsibilities of the Department of Elder Affairs as the State Agency on Aging		58A-1.004
	Designation of Area Agencies on Aging		58A-1.006
	Area Agency on Aging Functions and Responsibilities		58A-1.007
PURPOSE AND EFFECT: The purpose of the amendments to Rules 58A-1.001, .004, .006, and .007, F.A.C., will be to delete all references to the Department of Elder Affairs Programs and Service Manual and incorporation thereof, from Chapter 58A-1, F.A.C.			

SUBJECT AREA TO BE ADDRESSED: Department of Elder Affairs Programs and Service Manual.

SPECIFIC AUTHORITY: 430.08 FS.

LAW IMPLEMENTED: 430.03 FS.

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

TIME AND DATE: 10:00 a.m. – 11:00 a.m., October 6, 2003

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

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: RULE NO.:

Inpatient Mental Health and Tuberculosis 59G-4.165
 Hospital Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid State Mental Health Hospital Services Coverage and Limitations Handbook, October 2003. The revised handbook contains changes required by the Health Insurance Portability and Accountability Act (HIPAA). The effect will be to incorporate by reference in the rule the revised, most current Florida Medicaid State Mental Health Hospital Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: State Mental Health Hospital Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.908, 409.913 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, September 30, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kris Russell, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7353

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.165 Inpatient Mental Health and Tuberculosis Hospital Services.

(1) through (4)(b) No change.

(c) All inpatient mental health providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Provider Handbook for State Mental Health Hospital Services Coverage and Limitations Handbook, October 2003, as updated August 1, 1989 incorporated by reference and the Florida Medicaid Provider Reimbursement Handbook, Institutional 021, which is incorporated in Rule 59G-4.200, F.A.C which is available from the fiscal agent contractor. Both handbooks are available from the Medicaid fiscal agent.

(5) through (13) No change.

Specific Authority 409.919 FS. Law Implemented 409.905(5), 409.906(18), 409.908, 409.913(5)(e), ~~409.913(8)(h)~~ FS. History—New 1-1-77, Revised 10-1-77, Amended 3-10-83, Formerly 10C-7.46, Amended 5-26-93, Formerly 10C-7.046, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: RULE CHAPTER NO.:
 Grounds for Disciplinary Proceedings 61G1-12

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Grounds for Disciplinary Proceedings.

SPECIFIC AUTHORITY: 455.304, 481.2055, 455.225, 455.2273, 455.224, 481.306, 455.2235, 455.227, 120.695 FS.

LAW IMPLEMENTED: 455.303, 455.304, 481.219, 481.225, 481.2251, 455.227, 455.2273, 455.224, 455.2235 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE CHAPTER TITLE: RULE CHAPTER NO.:
 Responsible Supervising Control

Over Architectural Practices 61G1-18
 in the Architect's Office

PURPOSE AND EFFECT: The Board proposes to review the rules in this chapter to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Responsible supervising control over architectural practices in the Architect's office.

SPECIFIC AUTHORITY: 481.2055 FS.

LAW IMPLEMENTED: 481.221(4) FS.

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

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

Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLES: RULE NOS.:

Written Examination Designated; General Requirements 61G15-21.001
 Passing Grade 61G15-21.004

PURPOSE AND EFFECT: Rule 61G15-21.001, F.A.C., is being amended to clarify that Part One of the Exam is the engineer intern examination portion. Rule 61G15-21.004, F.A.C., is being amended to state that the requirements for passing grades on each portion of the exam is a grade of 70 or better. Surplus language regarding needless detailing of methods used by the creator of the national exam in scoring is being removed.

SUBJECT AREA TO BE ADDRESSED: Written Examination Designated and Passing grade.

SPECIFIC AUTHORITY: 455.217(1)(c), 471.013 FS.

LAW IMPLEMENTED: 455.217(1)(c), 471.013, 471.015 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Natalie Lowe, Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-21.001 Written Examination Designated; General Requirements.

(1) The Florida Board of Engineers hereby determines that a written examination shall be given and passed prior to any applicant receiving a license to practice as a professional engineer, or as an engineer intern in the State of Florida except as provided in Section 471.015, Florida Statutes. The examination shall be provided by the National Council of Examiners for Engineers and Surveyors (NCEES). The examination consists of two parts, each of eight hours. The engineer intern examination is defined to be Part One of the written examination provided by the NCEES. Candidates are permitted to bring certain reference materials and calculators. A list of approved reference materials and calculators will be provided to all candidates prior to each examination. Reference

materials are limited to fifteen (15) bound volumes. National examination security requirements as set forth by the NCEES shall be followed throughout the administration of the examination.

(2) No change.

Specific Authority 455.217(1) FS. Law Implemented 455.217(1), 471.015 FS. History—New 1-8-80, Formerly 21H-21.01, Amended 10-5-92, Formerly 21H-21.001, Amended 11-15-94, 10-14-02, _____.

61G15-21.004 Passing Grade.

~~(1) The passing grade for the Engineering Fundamentals Examination is 70 or better. The criteria for determining the minimum score necessary for passing the Engineering Fundamentals Examination shall be developed through the collective judgment of qualified experts appointed by NCEES to set the raw score that represents the minimum amount of knowledge necessary to pass the examination. The judges shall use a Modified Angoff Method in determining the minimally acceptable raw score necessary to pass the Fundamentals of Engineering Examination. Using the above mentioned Modified Angoff Method, the judges will indicate the probability that a minimally knowledgeable Fundamentals of Engineering examinee would answer any specific questions correctly. The probability of a correct response is then assigned to each question. Each judge will then make an estimate of the percentage of minimally knowledgeable examinees who would know the answer to each question. The totals of each of the judges is added together and divided by the number of judges to determine the overall estimate of the minimum standards necessary. The minimum number of correct answers required to achieve a passing score will take into account the relative difficulty of each examination through scaling and equating each examination to the base examination. The raw score necessary to show competence shall be deemed to be a 70 on a scale of 100.~~

(2) The passing grade for the Principles and Practice Examination is 70 or better. A passing grade on Part Two of the examination is defined as a grade of 70 or better. The grades are determined by a group of knowledgeable professional engineers, who are familiar with engineering practice and with what is required for an applicable engineering practice and with what is required for an applicable engineering task. These professional engineers will establish a minimum passing score on each individual test item (i.e., examination problem). An Item Specific Scoring Plan (ISSP) will be prepared for each examination item based upon the NCEES standard scoring plan outline form. An ISSP will be developed by persons who are familiar with each discipline including the item author, the item scorer, and other NCEES experts. On a scale of 0-10, six (6) will be a minimum passing standard and scores between six (6) and ten (10) will be considered to be passing scores for each examination item. A score of five (5) or lower will be considered an unsatisfactory score for that item and the examinee will be considered to have failed that item. To pass,

~~an examinee must average six (6) or greater on his/her choice of eight (8) exam items, that is, the raw score must be forty-eight (48) or greater based on a scale of eighty (80). This raw score is then converted to a base 100 on which, as is noted above, a passing grade will be seventy (70).~~

Specific Authority 455.217(1)(c), 471.013 FS. Law Implemented 455.217(1)(c), 471.03 FS. History—New 1-8-80, Amended 3-23-81, 8-25-81, 2-21-84, 1-20-85, Formerly 21H-21.04, 21H-21.004, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLES: RULE NOS.:
Seals Acceptable to the Board 61G15-23.001
Seal, Signature and Date Shall Be Affixed 61G15-23.002

PURPOSE AND EFFECT: As the Legislature has deleted the requirement that seals be metal-impression type and left the selection of the fabrication material used to create a seal to the Board, the Board proposes to amend these two rules to remove obsolete restrictions on the use of seals to allow other materials in the process and to correct a reference to only apply to engineering specifications.

SUBJECT AREA TO BE ADDRESSED: Seals Acceptable to the Board and Seal, Signature and Date Shall be Affixed.

SPECIFIC AUTHORITY: 471.025 FS.

LAW IMPLEMENTED: 471.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Natalie Lowe, Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: RULE NO.:
Schedule of Fees 61G15-24.001

PURPOSE AND EFFECT: The Board proposed to amend this rule to remove obsolete language and clarify the fee schedule.

SUBJECT AREA TO BE ADDRESSED: Schedule of Fees adopted by Board.

SPECIFIC AUTHORITY: 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.217(3), 471.011, 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, Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-24.001 Schedule of Fees.

(1) No change.

(2) Engineering fees (individuals and firms):

(a) No change.

(b) Examination and re-examination fee ~~Initial examination fee~~ – \$100.00 (~~both parts~~), except the fee for Structural II examination is \$450.00.

(c) Application fee for licensure by endorsement – \$125.00.

(d) Initial ~~registration and~~ licensure – \$100.00.

(e) Renewal – \$125.00 per biennium.

(f) Delinquency Fee – \$100.00.

(g) Temporary registration (individual) – \$25.00.

(h) Temporary Certificate of Authorization (firm) – \$50.00.

(i) Registration for a Certificate of Authorization (firm) – \$125.00.

(j) Biennial Renewal of Certificate of Authorization (firm) – \$125.00.

(k) Additional Discipline Examination Fee ~~Re-examination~~ – \$100.00 per part.

(l) Inactive Status fee – \$75.00.

(m) Reactivation fee – \$150.00.

(n) Duplicate Certificate – \$25.00.

(o) Verification of Licensure – \$25.00.

(p) Special Inspector Certification – \$100.00.

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

Specific Authority 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS. Law Implemented 119.07(1)(a), 455.217(3),(7), 471.011, 471.019 FS. History—New 1-8-80, Amended 8-26-81, 12-19-82, 6-2-83, 2-28-84, Formerly 21H-24.01, Amended 3-10-86, 12-11-86, 3-10-87, 4-12-88, 12-21-88, 1-10-90, 8-15-90, 1-6-93, Formerly 21H-24.001, Amended 11-15-94, 8-10-98, 6-16-99, 5-8-00, 11-15-01, 2-21-02, 9-16-02, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Retention of Engineering Documents
 RULE NO.: 61G15-30.009

PURPOSE AND EFFECT: The Board proposes to adopt a new rule to set forth criteria for the retention of engineering documents.

SUBJECT AREA TO BE ADDRESSED: Retention of Engineering Documents.

SPECIFIC AUTHORITY: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.033(1)(g) 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, Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-30.009 Retention of Engineering Documents.

At least one copy of all documents displaying the licensee's signature, seal, date and all related calculations shall be retained by the licensee or the licensee's employer for a minimum of three years from the date the documents were sealed.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.033(1)(g) FS. History-New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLES: Renewal of Active Status License
 RULE NOS.: 61G18-12.005

Fee for Veterinarians 61G18-12.005
 Delinquency Fee 61G18-12.006

Renewal Fee for Inactive Status License 61G18-12.009

PURPOSE AND EFFECT: The Board proposes to review the rules to determine if amendments are appropriate.

SUBJECT AREA TO BE ADDRESSED: Renewal and Delinquency fees to be raised from \$160.00 to \$260.00.

SPECIFIC AUTHORITY: 474.206, 474.211, 474.271 FS.

LAW IMPLEMENTED: 455.271, 455.271(3), 474.2065, 474.211 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-12.005 Renewal of Active Status License Fee for Veterinarians.

The fee for biennial renewal of an active status license shall be \$ 260.00 ~~160.00~~.

Specific Authority 474.206, 474.211 FS. Law Implemented 474.211, 474.2065 FS. History-New 11-14-79, Amended 3-1-84, Formerly 21X-12.05, Amended 12-14-87, 7-26-89, Formerly 21X-12.005, Amended 2-6-95, 5-27-99, _____.

61G18-12.006 Delinquency Fee.

A delinquent status licensee shall pay a delinquency fee of two ~~one~~ hundred sixty (\$260 ~~160~~) dollars when the licensee applies for active or inactive status.

Specific Authority 455.271 FS. Law Implemented 455.271 FS. History-New 2-6-95, Amended 5-8-00, _____.

61G18-12.009 Renewal Fee for Inactive Status License.

The fee for renewal of an inactive license shall be two ~~one~~ hundred sixty dollars (\$260.00 ~~160.00~~).

Specific Authority 474.206 FS. Law Implemented 455.271(3), 474.2065 FS. History-New 3-1-84, Formerly 21X-12.09, 21X-12.009, Amended 1-5-95, 4-25-00, _____.

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 Dentistry

RULE TITLES: Remediable Tasks Delegable to
 RULE NOS.: 64B5-16.005

Dental Assistants 64B5-16.005

Remediable Tasks Delegable to a
 Dental Hygienist 64B5-16.006

PURPOSE AND EFFECT: The Board proposes the rule amendment to correct the text of a recent amendment to Rule 64B5-16.005, and to update Rule 64B5-16.006, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments would allow dental assistants under direct supervision and who have received formal training to make impressions for study casts for the purpose of fabricating orthodontic retainers.

SPECIFIC AUTHORITY: 466.004(4), 466.023, 466.024(3) FS.

LAW IMPLEMENTED: 466.023, 466.024 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-16.005 Remediable Tasks Delegable to Dental Assistants.

(1) The following remediable tasks may be performed by a dental assistant who has received formal training and who performs the tasks under direct supervision:

(a) through (s) No change.

(t) Making impressions for study casts which are being made for the purpose of fabricating passive orthodontic retainers.

(2) through (5) No change.

Specific Authority 466.004(4), 466.024(3) FS. Law Implemented 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.005, Amended 3-30-94, Formerly 61F5-16.005, Amended 1-9-95, 9-27-95, 6-12-97, Formerly 59Q-16.005, Amended 1-8-01, _____.

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) The following remediable tasks may be performed by a dental hygienist who has received formal training and who performs the task under direct supervision:

(a) through (o) No change.

(p) Making impressions for study casts which are being made for the purpose of fabricating orthodontic retainers.

(2) through (5) No change.

Specific Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99, 4-24-00, 9-27-01, _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES: RULE NOS.:

Application and Examination Fee for Licensure by Examination Review Fee 64B19-12.002
Reexamination Fee 64B19-12.003

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Application, Examination and Reexamination fees language.

SPECIFIC AUTHORITY: 456.013(2), 456.017(2), 490.004(4), 490.005(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.017(2), 490.005(1)(a) FS.

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

TIME AND DATE: 9:00 a.m. or as soon thereafter as can be heard, November 14, 2003

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLES: RULE NOS.:

Disciplinary Guidelines 64B19-17.002
Citations 64B19-17.004

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines and Citations.

SPECIFIC AUTHORITY: 456.079, 456.077, 490.004(4) FS.

LAW IMPLEMENTED: 456.072, 456.072(4), 456.077, 456.079, 490.009 FS.

THE BOARD WILL HOLD A RULES WORKSHOP ON THE ABOVE REFERENCED RULES AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. or as soon thereafter as can be heard, November 14, 2003

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER TITLE: Florida Clean Indoor Air Act
 RULE CHAPTER NO.: 64E-25

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Administrative Rule 64E-25, F.A.C., and to implement statutory provisions relating to Chapter 386, Florida Statutes, the Florida Clean Indoor Air Act.

SUBJECT AREA TO BE ADDRESSED: Chapter 386, Florida Statutes, Florida Clean Indoor Air Act.

SPECIFIC AUTHORITY: 386.207 FS.

LAW IMPLEMENTED: 381.0012, 386.206, 386.207 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 p.m., Monday, September 22, 2003

PLACE: Betty Easley Conference Center, Capital Circle Office Complex, 4075 Esplanade Way, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Donna Arnold, Program Specialist, Department of Health, 4052 Bald Cypress Way, Bin #C-23, Tallahassee, Florida 32399-1743 (Draft materials will be available, upon request, one week prior to the workshop.)

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE TITLES: General Regulations; Definitions
 RULE NOS.: 64F-12.001

Records of Drugs, Devices and Cosmetics 64F-12.012

PURPOSE AND EFFECT: The primary purpose of these rule revisions is to address three concepts necessary to implement the Prescription Drug Protection Act passed in Senate Bill 2312, Chapter 2003-155, Laws of Florida. A rule development workshop was held on September 9, 2003 and these areas addressed below require additional input from the public to develop the rules.

SUBJECT AREA TO BE ADDRESSED: Rule revisions will include: providing rules related to authorized distributors of record and pedigree paper recordkeeping requirements, including procedures for authenticating paper papers; and wholesaler inspection requirements related to due diligence.

SPECIFIC AUTHORITY: 499.0121, 499.05 FS.

LAW IMPLEMENTED: 499.003, 499.005, 499.0121, 499.05, 499.051 FS.

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

TIME AND DATE: 10:00 a.m. – 1:00 p.m., Wednesday, October 8, 2003

PLACE: Department of Health, 4052 Bald Cypress Way, Room 301 (Capital Circle Office Complex), Tallahassee, Florida.

If special accommodations are needed to attend this meeting because of a disability, please contact: Maxine Wenzinger, (850)487-1257, Ext. 205.

A copy of the preliminary text is available on the bureau's website at www.doh.state.fl.us/pharmacy/drugs then click on the 'What's Hot' link.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY MAIL AT NO CHARGE FROM MAXINE WENZINGER, (850)487-1257, EXT. 205.

**Section II
 Proposed Rules**

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

RULE TITLES:	RULE NOS.:
Application Forms, Procedures and Requirements	3C-560.102
Requirements	3C-560.201

PURPOSE, EFFECT AND SUMMARY: These rules provide for a fingerprint card processing fee of \$39 which includes processing through the Florida Department of Law Enforcement and the Federal Bureau of Investigations. The purpose of the proposed amendments to Rules 3C-560.102 and 3C-560.201, F.A.C., is to change the fee for processing fingerprint cards through the Florida Department of Law Enforcement in accordance with the statutory provisions of Chapter 943.053(3)(b), Florida Statutes which increases the processing fee from \$15 to \$23 per name submitted. As a result the amended rule will provide for a fingerprint card processing fee of \$47.

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: 215.405, 560.105(3), 560.118(2), 560.205 (1), 560.205(2), 560.403(1) FS.

LAW IMPLEMENTED: 215.405, 560.102, 560.118, 560.127, 560.129, 560.204, 560.205, 560.303(1), 560.305, 560.306, 560.307, 560.404 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., Monday, October 20, 2003

PLACE: Room 54, Office of Financial Regulation, The Fletcher Building, 101 E. Gaines Street, Tallahassee, Florida 32399-0378

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pamela P. Epting, Bureau Chief, 200 East Gaines Street, Tallahassee, Florida 32399-0375, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULES IS:

3C-560.102 Applications Forms, Procedures and Requirements.

(1) through (4) No change.

(5) The responsible person who will be in charge of the applicant's business activities in this state, and each existing or proposed director, executive officer, principal, member and all controlling shareholders, unless exempt under Sections 560.205(1) or 560.306(1), F.S., shall file a completed Florida Fingerprint Card (FL921050Z) accompanied by a nonrefundable \$47 ~~39~~ processing fee. If the Federal Bureau of Investigation cannot process the fingerprint card because of illegible fingerprints, a second card must be submitted. If that card cannot be processed, it will be necessary to submit a third card along with a nonrefundable fee of \$24 to cover the cost of processing the card. The Department reserves the right to require as many submissions of fingerprint cards and fees as may be necessary until such time as the card can be properly processed by the appropriate law enforcement agency. Any applicant claiming the statutory exemption from the fingerprint requirement shall submit evidence to support its claim to the exemption.

(6) through (9) No change.

Specific Authority 215.405, 560.105(3), 560.118(2), 560.205(1), 560.205(2), 560.403(1) FS. Law Implemented 215.405, 560.102, 560.118, 560.129, 560.204, 560.205, 560.303(1), 560.305, 560.306, 560.307, 560.403 FS. History--New 9-24-97, Amended 11-4-01, _____.

3C-560.201 Requirements.

Notices of change of control will be processed pursuant to Section 560.127, F.S.

(1) No change.

(2) The responsible person who will be in charge of the applicant's business activities in this state, each existing or proposed director, executive officer, principal, member and all controlling shareholders, unless exempt under Sections 560.205(1) or 560.306(1), F.S., shall file a completed Florida Fingerprint Card (FL921050Z) accompanied by a \$47 ~~39~~ nonrefundable processing fee. No fingerprint card will be required from any person described above who has been reported to the Department by the registrant and for whom the Department has received the required Biographical Form (Form DBF-MT-7-01) prior to October 1, 2001. If the Federal Bureau of Investigation cannot process the fingerprint card because of illegible fingerprints, a second card must be submitted. If that card cannot be processed, it will be necessary to submit a third card along with a nonrefundable fee of \$24 to cover the cost of processing the card. The Department reserves the right to require as many submissions of such fingerprint cards and fees as may be necessary until such time as the card can be properly processed by the appropriate law enforcement agency. Any applicant claiming the statutory exemption from the fingerprint requirement shall submit evidence to support its claim to the exemption.

(3) through (4) No change.

Specific Authority 215.405, 560.105(3) FS. Law Implemented 215, 405 560.127, 560.204, 560.205, 560.303 (1), 560.305, 560.306, 560.307 FS. History--New 9-24-97, Amended 11-4-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Financial Examiner/Analyst Supervisor, Office of Financial Institutions and Securities Regulation, 200 East Gaines St., Rm. 553 H, Fletcher Bldg., Tallahassee, Florida 32399-0378

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pamela P. Epting, Bureau Chief

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

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

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE TITLES:	RULE NOS.:
Application Procedure for Mortgage Broker License	3D-40.031
Application Procedure for Mortgage Broker Business License	3D-40.051
Application Procedure for Change in Ownership or Control of Saving Clause Mortgage Lender	3D-40.100
Application Procedure for Mortgage Lender License	3D-40.200
Application Procedure for Correspondent Mortgage Lender License	3D-40.220

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rules 3D-40.031, 3D-40.051, 3D-40.100, 3D-40.200, and 3D-40.220, F.A.C., is to change the fee for processing fingerprint cards through the Florida Department of Law Enforcement in accordance with the statutory provisions of Chapter 943.053(3)(b), Florida Statutes which increases the processing fee from \$15 to \$23 per name submitted.

SUMMARY: The proposed amendments specify the fee for processing fingerprint cards through the Florida Department of Law Enforcement.

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 notice.

SPECIFIC AUTHORITY: 215.405, 494.0011(2), 494.0061(3), 494.0062(3) FS.

LAW IMPLEMENTED: 120.60(1), 494.0031, 494.0033, 494.0035, 494.0061, 494.0062, 494.0065 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., Monday, October 20, 2003

PLACE: Office Of Financial Regulation, 101 East Gaines Street, The Fletcher Building, Tallahassee, Florida 32399-0379

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pamela P. Epting, Bureau Chief, 200 East Gaines Street, Tallahassee, Florida 32399-0375, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULES IS:

3D-40.031 Application Procedure for Mortgage Broker License.

(1) Each person desiring to obtain licensure as a mortgage broker shall apply to the Department by submitting the following:

(a) A completed Application for Licensure as a Mortgage Broker, Form DBF-MB-101, revised 10/99, which is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Securities and Finance, 101 Gaines Street, Tallahassee, Florida 32399-0350. The application must be completed and signed within thirty (30) days prior to receipt by the Department;

(b) The statutory, non-refundable application fee required by Section 494.0033, F.S., which shall be the fee for the biennial period beginning September 1 of each odd-numbered year or any part thereof;

(c) A completed fingerprint card accompanied by a \$23 ~~15~~ non-refundable processing fee; and

(d) Evidence that the applicant has completed the mortgage broker education requirements of Section 494.0033(3), F.S.

(2) through (7) No change.

Specific Authority 215.405, 494.0011(2) FS. Law Implemented 120.60(1), 494.0033 FS. History--New 10-30-86, Amended 1-30-89, 5-23-89, 11-28-89, 10-1-91, 6-8-92, 6-3-93, 6-6-93, 4-25-94, 5-14-95, 9-3-95, 11-24-97, 8-22-99, 12-12-99, _____.

3D-40.051 Application Procedure for Mortgage Brokerage Business License.

(1) No change.

(2) Each ultimate equitable owner of 10% or greater interest, the chief executive officer and each director of an entity applying for licensure as a mortgage brokerage business, shall submit a completed fingerprint card and Biographical Summary, Form MBB-BIO-1 (revised 10/99), to the Department along with a \$23 ~~15~~ nonrefundable processing fee. Form MBB-BIO-1 is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Securities and Finance, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

(a) Any entity that is a wholly-owned subsidiary of a state or federally approved financial institution is exempt from the provisions of subsection (2).

(b) For purposes of this rule, "chief executive officer" means the person primarily responsible for the operation of the business, and a "financial institution" means a state or federal association, bank, trust company, international bank agency, or credit union.

(c) If the individual owner, director, or chief executive officer holds an active mortgage broker's license with the Department, they are exempt from the provisions of subsection (2).

(d) If an entity holds an active license under Chapter 494, F.S., with the Department, it is exempt from the provisions of subsection (2) when it applies for a different type of license, unless there has been a change of control of 50% or more of the ownership interest since the time its initial license was approved by the Department.

(e) Any claim to any of the above exemptions shall be supported by attaching evidence of the exemption with the application for license.

(3) through (8) No change.

Specific Authority 215.405, 494.0011(2) FS. Law Implemented 494.0031, 494.035 FS. History--New 10-30-86, Amended 1-30-89, 11-28-89, 10-1-91, 6-6-93, 5-14-95, 7-14-96, 11-24-97, 8-22-99, 12-12-99, 12-9-01, _____.

3D-40.100 Application Procedure for Change in Ownership or Control of Saving Clause Mortgage Lender.

(1) No change.

(2) Each ultimate equitable owner of 10% or greater interest, the chief executive officer and each director of an entity applying for licensure as a mortgage lender licensed pursuant to the savings clause, shall submit a completed

fingerprint card and Biographical Summary, Form ML-BIO-1 (revised 10/99), to the Department along with a \$23 ~~45~~ nonrefundable processing fee. Form ML-BIO-1 is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Securities and Finance, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

(a) Any entity that is a wholly-owned subsidiary of a state or federally approved financial institution is exempt from the provisions of subsection (2).

(b) For purposes of this rule, “chief executive officer” means the person primarily responsible for the overall activities of the business, and a “financial institution” means a state or federal association, bank, trust company, international bank agency, or credit union.

(c) If the individual owner, director, or chief executive officer holds an active mortgage broker’s license with the Department, he or she are exempt from the provisions of subsection (2).

(d) If an entity holds an active license under Chapter 494, F.S., with the Department, it is exempt from the provisions of subsection (2) when it applies for a different type of license, unless there has been a change of control of 50% or more of the ownership since the time its initial license was approved by the Department.

(e) Any claim to any of the above exemptions shall be supported by attaching evidence of the exemption with the application for license.

(3) through (7) No change.

Specific Authority 494.0011(2) FS. Law Implemented 494.0061(1), 494.0065 FS. History—New 8-24-93, Amended 9-3-95, 8-22-99, 12-12-99, 12-9-01, 12-8-02, _____.

3D-40.200 Application Procedure for Mortgage Lender License.

(1) No change.

(2) Each ultimate equitable owner of 10% or greater interest, the chief executive officer and each director of an entity applying for licensure as a mortgage lender, shall submit a completed fingerprint card and Biographical Summary, Form ML-BIO-1 (revised 10/99), to the Department along with a \$23 ~~45~~ nonrefundable processing fee. Form ML-BIO-1 is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Securities and Finance, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

(a) Any entity that is a wholly-owned subsidiary of a state or federally approved financial institution is exempt from the provisions of subsection (2).

(b) For purposes of this rule, “chief executive officer” means the person primarily responsible for the overall activities of the business, and a “financial institution” means a state or federal association, bank, trust company, international bank agency, or credit union.

(c) If the individual owner, director, or chief executive officer holds an active mortgage broker’s license with the Department, they are exempt from the provisions of subsection (2).

(d) If an entity holds an active license under Chapter 494, F.S., with the Department, it is exempt from the provisions of subsection (2) when it applies for a different type of license, unless there has been a change of control of 50% or more of the ownership since the time its initial license was approved by the Department.

(e) Any claim to any of the above exemptions shall be supported by attaching evidence of the exemption with the application for license.

(3) through (8) No change.

Specific Authority 215.405, 494.0011(2), 494.0061(3) FS. Law Implemented 494.0061 FS. History—New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95, 11-5-95, 7-14-96, 11-24-97, 8-22-99, 12-12-99, 12-9-01, 12-8-02, _____.

3D-40.220 Application Procedure for Correspondent Mortgage Lender License.

(1) No change.

(2) Each ultimate equitable owner of 10% or greater interest, the chief executive officer and each director of an entity applying for licensure as a correspondent mortgage lender, shall submit a completed fingerprint card and Biographical Summary, Form CL-BIO-1 (revised 10/99), to the Department along with a \$23 ~~45~~ nonrefundable processing fee. Form CL-BIO-1 is hereby incorporated by reference and available by mail from the Department of Banking and Finance, Division of Securities and Finance, 101 East Gaines Street, Tallahassee, Florida 32399-0350.

(a) Any entity that is a wholly-owned subsidiary of a state or federally approved financial institution is exempt from the provisions of subsection (2).

(b) For purposes of this rule, “chief executive officer” means the person primarily responsible for the overall activities of the business, and a “financial institution” means a state or federal association, bank, trust company, international bank agency, or credit union.

(c) If the individual owner, director, or chief executive officer holds an active mortgage broker’s license with the Department, they are exempt from the provisions of subsection (2).

(d) If an entity holds an active license under Chapter 494, F.S., with the Department, it is exempt from the provisions of subsection (2) when it applies for a different type of license, unless there has been a change of control of 50% or more of the ownership since the time its initial license was approved by the Department.

(e) Any claim to any of the above exemptions shall be supported by attaching evidence of the exemption with the application for license.

(3) through (8) No change.

Specific Authority 215.405, 494.0011(2), 494.0062(3) FS. Law Implemented 494.0062 FS. History--New 10-1-91, Amended 6-6-93, 5-14-95, 9-3-95, 11-5-95, 7-14-96, 11-24-97, 8-22-99, 12-12-99, 12-9-01, 12-8-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Financial Examiner/Analyst Supervisor, Office of Financial Regulation, 200 East Gaines St., Rm. 553 H, The Fletcher Building, Tallahassee, Florida 32399-0378

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pamela P. Epting, Bureau Chief

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

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

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE TITLE: Application for Registration as Associated Person

RULE NO.: 3E-600.002

PURPOSE AND EFFECT: This rule provides for a fingerprint card processing fee of \$39 which includes processing through the Florida Department of Law Enforcement and the Federal Bureau of Investigations. The purpose of the proposed amendment to Rule 3E-600.002, F.A.C., is to change the fee for processing fingerprint cards through the Florida Department of Law Enforcement in accordance with the statutory provisions of Chapter 943.053(3)(b), Florida Statutes which increases the processing fee from \$15 to \$23 per name submitted. As a result the amended rule will provide for a fingerprint card processing fee of \$47.

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: 517.03, 517.12 FS.

LAW IMPLEMENTED: 120.53, 120.60 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., Monday, October 20, 2003

PLACE: Room 547, Office of Financial Regulation, The Fletcher Building, 101 E. Gaines Street, Tallahassee, Florida 32399-0378

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bill Reilly, Financial Administrator, Division of Securities, 200 East Gaines Street, Fletcher Building, Room 604, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-600.002 Application for Registration as Associated Person.

(1)(a) Applications for initial, reaffiliation, and renewal registrations of a principal or agent shall be filed on Form U-4, Uniform Application for Securities Industry Registration or Transfer (Revised 03/02), which hereby is incorporated by reference, and shall include all information required by such form, any other information the Department may require, and payment of the statutory fees required by Section 517.12(10), F.S. Except as otherwise provided in Rule 3E-600.0091, 3E-600.0092, 3E-600.0093, F.A.C., the Department shall deem an application to be received at such time as it and the appropriate fee have been date stamped by the cashier's office of the Department of Banking and Finance. For dealers that are members of the National Association of Securities Dealers ("NASD"), such application shall be filed with the Department through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 3E-600.0091, F.A.C. For federal covered advisers, such application shall be filed with the Department through the Central Registration Depository ("CRD") of the NASD in accordance with Rule 3E-600.0092, F.A.C. For investment adviser applicants and registrants who file via the IARD, such application may be filed with the Department through the CRD of the NASD in accordance with Rule 3E-600.0093, F.A.C.

(b) A complete initial application must include the following exhibits or forms that are appropriate for the type of registration requested:

1. Uniform Application for Securities Industry Registration or Transfer, Form U-4 (Revised 03/02). As used on the Form U-4 (Revised 03/02), the term "Office of Employment Address" shall mean the location where the person seeking registration will regularly conduct business on behalf of the dealer or investment adviser. For dealers that are members of the NASD, such application shall be filed with the Department through the CRD of the NASD.

2. Statutory fee in the amount of \$40, for each registration sought, as required by Section 517.12(10), F.S.

3. When specifically requested by the Department, full documentation and details pertaining to affirmative responses. The Department may require such documentation to be certified by its issuer based upon the Department's review of the nature and substance of this disciplinary history and experience of the applicant. For purposes of this rule, "certified" means that there must be a certification or attestation by the issuer of the record that the document was a true copy of a record contained in his office and his seal, if any.

4. Evidence of examination/qualifications set forth in Rule 3E-600.005(2), F.A.C.

5. Florida Fingerprint Card (FL92150Z) when required under Section 517.12(7), F.S., and Rule 3E-600.006, F.A.C., accompanied by a \$47 ~~39~~ processing fee. If the fingerprint card cannot be processed by the Federal Bureau of Investigation because of illegible fingerprints, a second card must be submitted. If that card also cannot be processed, it will be necessary to submit a third card along with a fee of \$24 to cover the cost of processing the card charged by the FBI.

(c) If the information contained in any Uniform Application Form U-4 (Revised 03/02) becomes inaccurate for any reason before or after the associated person becomes registered, the associated person through the dealer or investment adviser, as applicable, shall be responsible for correcting the inaccurate information in thirty (30) days. If the information being updated relates to the applicant's or registrant's disciplinary history, in addition to updating the Uniform Application Form U-4 (Revised 03/02), the associated person through the dealer or investment adviser shall also provide the Department with notice and copies of each civil, criminal or administrative action initiated against the associated person as provided in Rule 3E-600.010, F.A.C. For associated persons who have filed by using the CRD of the NASD, such amendments shall be made through the CRD of the NASD.

(2) A dealer or investment adviser shall be responsible for the acts, practices, and conduct of their registered associated persons in connection with the purchase and sale of securities or in connection with the rendering of investment advice until such time as they have been properly terminated as provided in Rule 3E-600.008, F.A.C.

Specific Authority 517.03(1), 517.12(6) FS. Law Implemented 517.12(6),(7),(10), 517.1205 FS. History--New 9-20-82, Formerly 3E-301.02, Amended 10-15-86, 10-4-88, 6-24-90, 7-29-90, 10-14-90, 8-1-91, 6-16-92, 6-28-93, 11-14-93, 3-13-94, 4-30-96, 12-29-96, 6-22-98, 5-10-00, 9-19-00, 7-31-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gregory C. Oaks, Financial Examiner/Analyst Supervisor,
Office of Financial Regulation, 200 East Gaines St., Rm. 553
H, The Fletcher Building, Tallahassee, Florida 32399-0378

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Pamela P. Epting, Bureau Chief

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

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

DEPARTMENT OF INSURANCE

Division of Treasury

RULE TITLE:
The Plan; Prescribed Forms

RULE NO.:
4C-6.003

PURPOSE AND EFFECT: The purpose and effect of the rule is to adopt an amended State of Florida Employees Deferred Compensation Plan with Investment Manager Guidelines and Retention Policy and Related Forms. Changes to the plan include:

- Changing "Treasurer" to "Chief Financial Officer"
- Referencing the new Investment Manager Guidelines and Retention Policy
- Clarifying language regarding funding the administration of the plan
- Allowing internet enrollment and changes in account information expanding the period to participate in the catch-up provisions to the 3 years prior to normal retirement age as allowed by 26 USC 457(b)(3)
- Simplifying provisions relating to beneficiary designations
- Making various minor corrections

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No SERC 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: 112.215(11) FS.

LAW IMPLEMENTED: 18.125(4)(c), 112.215 FS.

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

TIME AND DATE: 1:30 p.m., Wednesday, October 15, 2003

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kandi Winters, Financial Administrator, Division of Treasury, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-3162

THE FULL TEXT OF THE PROPOSED RULE IS:

4C-6.003 The Plan; Prescribed Forms.

(1) Form ~~DFSJ3-1176~~ ~~DI4-1176~~ (rev. 7/03 ~~1/02~~), State of Florida Employees Deferred Compensation Plan, is hereby established and incorporated into this rule by reference as the plan contemplated in Section 112.215, F.S.

(2) The forms listed below are incorporated into and made a part of this rule chapter by reference and shall take effect on the effective date of these rules. The forms can be obtained from investment providers servicing the plan. A listing of

authorized investment providers can be obtained from the Deferred Compensation Section, Division of State Treasury, 200 East Gaines Street, Tallahassee, Florida 32399-0346.

- (a) Form DFSJ3-1163
~~DI4-1163~~ (rev. 8/03 ~~1/02~~) Participant Action Form
- (b) Form DFSJ3-1164
~~DI4-1164~~ (rev. 8/03 ~~1/02~~) Enrollment Information Form
- (c) Form DFSJ3-1165
~~DI4-1165~~ (rev. 7/03 ~~1/02~~) Company to Company Transfer and/or Replacement Authorization
- (d) through (l) No change.
- (m) Form DFSJ3-1541
(rev. 7/03) Investment Manager Guidelines and Retention Policy
- (3) through (4) No change.

Specific Authority 112.215(11) FS. Law Implemented 18.125(4)(c), 112.215 FS. History--New 1-1-87, Amended 10-7-87, 2-14-88, 2-19-89, 6-21-89, 8-7-95, 9-21-98, 6-3-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kandi Winters, Financial Administrator, Deferred Comp Section, Division of Treasury, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bruce Gillander, Division Director, Division of Treasury, Department of Financial Services

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 15, 2003

DEPARTMENT OF INSURANCE

Division of Workers' Compensation

RULE TITLE: Florida Workers' Compensation Health Care Provider Reimbursement Manual

RULE NO.: 4L-7.020

PURPOSE, EFFECT AND SUMMARY: To amend Rule 4L-7.020, F.A.C., to adopt the new version on the Florida Workers' Compensation Health Care Provider Reimbursement Manual 2003 Edition.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No SERC 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: 440.13(7),(8),(11)-(14), 440.591 FS.

LAW IMPLEMENTED: 440.13(6)-(8),(11)-(14) FS.

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

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

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Don Davis, Division of Workers' Compensation, Office of Data Quality and Collection, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0316, (850)922-4480

THE FULL TEXT OF THE PROPOSED RULE IS:

4L-7.020 Florida Workers' Compensation Health Care Provider ~~Fee for Service~~ Reimbursement Manual.

(1) The Florida Workers' Compensation Health Care Provider ~~Fee for Service~~ Reimbursement Manual, 2003 ~~2002~~ Edition, is adopted by reference as part of this rule. The manual contains reimbursement policies, guidelines, codes and maximum reimbursement allowances for medical physician services, non-physician services, pharmaceutical and medical supplies; provided by health care providers as well as basic instructions and information for all providers and insurance carriers in the preparation and reimbursement of bills for medical services. The manual provides reimbursement policies and payment methodologies for pharmacists and medical suppliers. The Florida Workers' Compensation Health Care Provider ~~Fee for Service~~ Reimbursement Manual, 2003 ~~2002~~ Edition, is available for inspection during normal business hours at the State of Florida Department of Financial Services, Division of Workers' Compensation, Document Processing Section Center, 200 East Gaines Street, Tallahassee, Florida 32399-03114230, or via the Department's Division's web site at <http://www.fldfs.com> <http://www2.myflorida.com/les/we/>.

(2) The Physicians' Current Procedural Terminology (CPT®), 2003 Professional Edition Fourth Edition, Copyright 2002 ~~2001~~, American Medical Association (~~cover states "Current Procedural Terminology CPT® 2002, Standard Edition"~~), the Current Dental Terminology (CDT-~~43~~), Fourth Third Edition, Copyright 2002 ~~1999~~, American Dental Association (~~cover states "Current Dental Terminology (CDT-3), Version 2000"~~), and for D codes, injectable J codes, and the other medical services and supply codes, the American Medical Association "Healthcare Common Procedure Coding System, Medicare's National Level II Codes, HCPCS 2003", 2002 HCPCS Level II Professional (HCPCS), Fifteenth Thirteenth Edition, Copyright 2002 ~~2001~~, Ingenix Publishing

Group, are adopted by reference as part of this rule. When a health care provider performs a procedure or service is performed, which is not listed in the Florida Workers' Compensation Health Care Provider Fee for Service Reimbursement Manual, 2003 2002 Edition, the provider must use a code contained in either the CPT®, CDT-43 or HCPCS section as specified.

Specific Authority 440.13(7),(8),(11)-(14), 440.591 FS. Law Implemented 440.13(6)-(8),(11)-(14) FS. History—New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, Amended _____

NAME OF PERSON ORIGINATING PROPOSED RULE:
Don Davis, Division of Workers' Compensation, Office of Data Quality and Collection, Department of Financial Services
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tanner Holloman, Division Director, Division of Worker's Compensation, Department of Financial Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 20, 2003

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Application Information
PURPOSE AND EFFECT: The purpose of the rule amendment 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 Special Session A 2003. The effect is a rule that is updated to include complete certification application processes and services.

SUMMARY: The authority for school districts to process complete applications for district employees via a web-based application is expanded to include the addition of a subject area, a change in a name, and the issuance of a duplicate certificate to replace a lost or damaged certificate. School districts have been processing renewal applications for employees since 1996. The same fee structure that has been in place for the renewals is extended to the new services. Districts will retain \$36 of each \$56 fee and \$13 of each \$20 fee and remit the remaining fees on a monthly basis to the Department of Education for the costs of maintaining the technology system, web-based application, and the printing and mailing of certificates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 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.

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

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

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE 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 FULL TEXT OF THE PROPOSED RULE 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, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Betty Coxe, Deputy Chancellor, Educator Quality, Department of Education,

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jim Warford, Chancellor, K-12 Schools, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2003

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

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Definition of Terms RULE NO.: 6E-1.003

PURPOSE AND EFFECT: The proposed rule amendment sets forth changes that may affect accreditation.

SUMMARY: The proposed rule amendment adds language to further define substantive change and location.

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: 1005.22(1)(d) FS.

LAW IMPLEMENTED: 1005.22, 1005.31 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-1.003 Definition of Terms.

(1) through (42) No change.

(43) "Substantive change" means any change of control, level of credentials offered, location, a change in the purpose of the institution that exceeds minor corrections or alterations, financial soundness, or accreditation. A change of location includes any change of location that exceeds 45 miles. A

change of accreditation includes change of accreditation agency, lowering the level of accreditation, exceeding the scope of the grant of accreditation or recognition of the agency, or any final action taken by the accrediting agency which places the accreditation of the institution in jeopardy. A substantive change also includes any change which the Commission determines is serious enough to affect ~~threaten~~ the continued operation or stability of the institution, or the quality of the education programs offered.

(44) through (45) No change.

Specific Authority 1005.22(1)(d) FS. Law Implemented 1005.22, 1005.31 FS. History—Repromulgated 12-5-74, Amended 7-28-75, Formerly 6E-4.01(8), Readopted 11-11-75, Amended 3-7-77, 10-13-83, Formerly 6E-1.03, Amended 2-22-89, 11-29-89, 10-19-93, 4-11-00, 1-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Commission for Independent Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: License by Means of Accreditation

RULE NO.: 6E-2.002

PURPOSE AND EFFECT: The proposed rule amendment is intended to make revisions to the approval requirements of a License by Means of Accreditation.

SUMMARY: The proposed rule amendment sets forth the criteria for obtaining a valid license by means of accreditation.

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: 1005.22(1)(d), 1005.31(2), (3) FS.

LAW IMPLEMENTED: 1005.22(1)(e),(2)(d), 1005.31, 1005.32, 1005.33 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-2.002 License by Means of Accreditation.

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

(c) Substantive change. An institution which undergoes a substantive change, as defined in subsection 6E-1.003(43), F.A.C., while holding an Annual License or a License by Means of Accreditation, shall be granted a Provisional License for a period of time determined by the Commission. An institution may submit a written request for a return to its previous status or for a new status when conditions set by the Commission have been met. Any limitations on the operation of the institution during the period of provisional licensure will be determined by the Commission when granting the Provisional License. An institution holding a Provisional License shall not request approval of or implement a substantive change until it holds an Annual License or License by Means of Accreditation. The Commission may delegate to the Executive Director, the authority to return institutions to their previous status between Commission meetings, if the Executive Director determines that changes have no negative impact on the institution or the students attending the institution. Such action shall be reported to the Commission at the next meeting for further action.

(d) through (g) No change.

(2) No change.

(3) License by Means of Accreditation.

(a) No change.

(b) Requirements. An institution may apply for a License by Means of Accreditation if appropriate fees have been paid and if the following materials have been presented to the Commission requirements have been met:

1. Evidence that the ~~The~~ institution has ~~operated legally~~ been licensed or exempt from licensure under s. 246.085(1)(a), Florida Statutes 2001 in the State of Florida for ~~a minimum of~~ the past five consecutive years; and

2. Evidence that the ~~The~~ institution is a Florida corporation; and

3. Evidence that the ~~The~~ institution holds institutional accreditation granted by an accrediting agency as defined by Section 1005.02(1), Florida Statutes, which has been evaluated by the accreditation review committee and approved by the Commission as having reporting, organizational, and operating standards substantially equivalent to the Commission's licensure standards; and

4. Evidence that the institution meets minimum requirements for financial responsibility. The institution shall demonstrate compliance with this requirement by filing the institution's most recent annual independently audited financial statement, pursuant to subsection 6E-2.004(6), F.A.C. This audit shall cover a fiscal year which ended no earlier than twelve months prior to the application for licensure by means of accreditation. The institution has consistently followed fair

consumer practices, as provided in Section 1005.04 and 1005.34, Florida Statutes, and Rule 6E-1.0032, F.A.C., in all aspects of its operations; and

5. The institution has no unresolved complaints or other actions in the past twelve months; and

6. The institution meets minimum requirements for financial responsibility. The institution shall demonstrate compliance with this requirement by filing the institution's most recent annual independently audited financial statement, pursuant to subsection 6E-2.004(6), F.A.C. This audit shall cover a fiscal year which ended no earlier than twelve months prior to the application for licensure by means of accreditation.

7. An institution that was exempt from licensure in 2001 under Section 246.085(1)(a), Florida Statutes 2001, may retain an exemption until the Commission issues it a License by Means of Accreditation as provided in this rule.

(c) Evaluation. When the Commission has received the required documents and appropriate fees, the Commission shall evaluate the eligibility of the institution for Licensure by Means of Accreditation by determining, in addition, whether:

1. The institution has consistently followed fair consumer practices, as provided in Sections 1005.04 and 1005.34, Florida Statutes, and Rule 6E-1.0032, F.A.C., in all aspects of its operations; and

2. The institution has no unresolved complaints or other actions in the past twelve months; and

(d) Continued Exemption. An institution that was exempt from licensure under Section 246.085(1)(a), Florida Statutes 2001, may retain an exemption until the Commission issues it a License by Means of Accreditation as provided in this rule.

(e) Annual review. At the time of annual review of a License by Means of Accreditation, the institution shall submit: a current institutional catalog; a copy of materials provided to its accrediting agency since the last license review, except in the case of a self-study, a copy of the executive summary thereof will suffice; a copy of any correspondence, including letters, motions, records of actions taken, and other similar documents provided by the accrediting agency to the institution since the last review, and the institution's response; a copy of the annual independent institutional audit, pursuant to subsection 6E-2.004(6), F.A.C.; materials documenting that fair consumer practices are followed by the institution; and, if requested by the Commission, materials documenting that the institution has in place procedures for following the Commission's requirements for orderly closing.

(f) Duration.

1. A License by Means of Accreditation is valid for the same period as the grant of accreditation, except as noted in subparagraph 3. of this paragraph.

2. At the conclusion of the period of the grant of accreditation for which the licensure was granted, the license will expire unless the institution has paid appropriate fees and submitted evidence that the institution continues to be eligible

for a License by Means of Accreditation. In the event that the accrediting agency has deferred consideration of a renewal of the institution's accreditation, the Commission shall consider the circumstances in making a decision whether to extend the license.

(g) Before offering a program that exceeds the scope or level of its grant of accreditation, an institution holding a License by Means of Accreditation must apply for and receive an Annual License, pursuant to Section 1005.32(4), Florida Statutes. Upon inclusion of the new program in the full grant of accreditation, the institution may apply to reinstate its License by Means of Accreditation.

(h) Disciplinary actions. Pursuant to Section 1005.32(7), Florida Statutes, repeated failure to comply with the statutory requirements for this status shall lead to denial, probation, or revocation of the status as outlined in Rule 6E-2.0061, F.A.C. If the License by Means of Accreditation is revoked or denied, the institution must immediately obtain an Annual License.

Specific Authority 1005.22(1)(d), 1005.31(2), (3) FS. Law Implemented 1005.22(1)(e),(2)(d), 1005.31, 1005.32, 1005.33 FS. History—Promulgated 12-5-74, Formerly 6E-4.01(f)-(i), Readopted 11-11-75, Amended 2-6-78, 5-7-79, 10-13-83, Formerly 6E-2.02, Amended 11-27-88, 11-29-89, 10-19-93, 4-2-96, 4-11-00, 1-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Commission for Independent Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 31, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: On-Site Visits

RULE NO.: 6E-4.007

PURPOSE AND EFFECT: The proposed rule is intended to specify the authority of the Commission to inspect institutions during visits.

SUMMARY: The proposed rule clarifies the circumstances to which the Commission will conduct sites visits.

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: 1005.22(1)(d), 1005.31(2)(d), 1005.35(4)(d) FS.

LAW IMPLEMENTED: 1005.35(4)(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: Samuel L. Ferguson, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 31301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-4.007 On-site Visits.

(1) Authority to inspect – Employees of the Commission or a designee shall have the power to inspect institutions in a lawful manner for a full or partial site visit at all reasonable hours under the following conditions:

(a) Assisting an institution in complying with the rules and statutes;

(b) As a criterion for annual licensure;

(c) Determining if any of the provisions of this chapter or any rule thereunder is being violated;

(d) For the purpose of securing such other evidence as may be needed for prosecution pursuant to Section 1005.38, F.S.;

(e) By the order of the Commission;

(f) Upon receiving an application containing information that may cause an investigation to be made of the institution.

(2) On-Site Visit Process.

(a) Employees or designees of the Commission shall have the authority to perform announced or unannounced on site visits an to inspect such files, facilities, and equipment as well as conduct interviews with such individuals as appropriate to determine whether the institution is in compliance with Florida Statutes 1005 and the Commission rules.

(b) Failure to provide full access to the institution’s files, facilities and equipment or prevention of interviews is grounds for disciplinary action.

(c) A detailed written report of findings shall be compiled by staff and made apart of the institution’s file.

(d) The institution shall pay the required fees to cover the travel and per diem expenses of the Commission staff and committee members.

Specific Authority 1005.22(1)(d), 1005.31(2)(d), 1005.35(4)(d) FS. Law Implemented 1005.35(4)(d) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Commission for Independent Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 31, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

DOCKET NO. 030415-TP

RULE TITLE:

RULE NO.:

Customer Billing for Local Exchange

Telecommunications Companies

25-4.110

PURPOSE AND EFFECT: To update the rule and remove references to obsolete taxation methods that resulted from the implementation of Chapter 202, F.S.; and to remove rule implementation deadlines that are no longer relevant.

SUMMARY: The amended rule will require that the gross receipts tax, State sales tax, and the local option tax be combined into a State Communications Services Tax; that the municipal telecommunications taxes and fees be combined into the Local Communications Services Tax; and that local exchange telecommunications companies list separately on a customer’s bill the State Communications Services Tax and Local Communications Services Tax in accordance with Chapter 202, Florida Statutes.

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

SPECIFIC AUTHORITY: 350.127, 364.604(5) FS.

LAW IMPLEMENTED: 364.17, 350.113, 364.03, 364.04, 364.05, 364.052, 364.19, 364.602, 364.604 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THIS PROPOSED RULE IS: Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6202

THE FULL TEXT OF THIS PROPOSED RULE IS:

25-4.110 Customer Billing for Local Exchange Telecommunications Companies.

(1) No change.

(2) ~~Each Six months after the effective date of this rule, each~~ billing party shall set forth on the bill all charges, fees, and taxes which are due and payable.

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

2. The billing party shall either:

a. Identify Florida taxes and fees applicable to charges on the customer's bill ~~as (including but not limited to) "Florida gross receipts tax," "Franchise fees," "Municipal utility tax," and "Sales tax,"~~ and identify the assessment base and rate for each percentage based tax, fee, and surcharge, or

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

(4) The annual itemized bill shall be accompanied by a bill stuffer which explains the itemization and advises the customer to verify the items and charges on the itemized bill. This bill stuffer shall be submitted to the Commission's Division of Competitive Markets and Enforcement Telecommunications for prior approval. The itemized bill provided to residential customers and to business customers with less than ten access lines per service location shall be in easily understood language. The itemized bill provided to business customers with ten or more access lines per service location may be stated in service order code, provided that it contains a statement that, upon request, an easily understood translation is available in written form without charge. An itemized bill shall include, but not be limited to the following information, separately stated:

(a) through (9) No change.

(10) Where any undercharge in billing of a customer is the result of a company mistake, the company may not backbill in excess of 12 months. Nor may the company recover in a ratemaking proceeding; any lost revenue which inures to the company's detriment on account of this provision.

(11) Local Communications Services Tax Franchise fees and municipal telecommunications taxes.

(a) The Local Communications Services Tax is comprised of the discretionary communications services tax levied by the governing authority of each municipality and county authorized by Chapter 202, Florida Statutes.

~~(b)(a) When a municipality or county levies charges a company any franchise fee, or municipal telecommunications the Local Communications Services Tax authorized by Chapter 202 Section 166.231, Florida Statutes, the local exchange company may collect that tax fee only from its subscribers receiving service within that municipality or county. When a county charges a company any franchise fee, the company may collect that fee only from its subscribers receiving service within that county.~~

~~(c)(b) A local exchange company may not incorporate any portion of the Local Communications Services Tax franchise fee or municipal telecommunications tax into its other rates for service.~~

~~(e) This subsection shall not be construed as granting a municipality or county the authority to charge a franchise fee or municipal telecommunications tax. This subsection only specifies the method of collection of a franchise fee, if a municipality or county, having authority to do so, charges a franchise fee or municipal telecommunications tax.~~

(12) State Communications Services Tax.

(a) The State Communications Services Tax is comprised of When a company elects to add the Gross Receipts Tax imposed by Chapter 203, Florida Statutes, the communications services sales tax imposed by Chapter 202, Florida Statutes, and any local option sales tax onto the customer's bill as a separately stated component of that bill, the company must first remove from the tariffed rates any embedded provisions for the Gross Receipts Tax.

~~(b) A local exchange company may not incorporate any portion of the State Communications Services Tax into its other rates for service. If the tariffed rates in effect have a provision for gross receipts tax, the rates must be reduced by an amount equal to the gross receipts tax liability imposed by Chapter 203, Florida Statutes, thereby rendering the customer's bill unaffected by the election to add the Gross Receipts Tax as a separately stated tax.~~

~~(e) This subsection shall not be construed as a mandate to elect to separately state the Gross Receipts Tax. This subsection only specifies the method of applying such an election.~~

~~(d) All services sold to another telecommunications vendor, provided that the applicable rules of the Department of Revenue are satisfied, must be reduced by an amount equal to the gross receipts tax liability imposed by Chapter 203, Florida Statutes, unless those services have been adjusted by some other Commission action.~~

~~(e) When a nonrate base regulated telecommunications company exercises the option of adding the gross receipts tax as a separately stated component on the customer's bill then that company must file a tariff indicating such.~~

(13) through (18) No change.

(19)(a) Upon ~~Within one year of the effective date of this rule and upon~~ request from any customer, a billing party must restrict charges in its bills to only:

1. through (20) No change.

Specific Authority 350.127, 364.604(5) FS. Law Implemented 364.17, 350.113, 364.03, 364.04, 364.05, 364.052, 364.19, 364.602, 364.604 FS. History—New 12-1-68, Amended 3-31-76, 12-31-78, 1-17-79, 7-28-81, 9-8-81, 5-3-82, 11-21-82, 4-13-86, 10-30-86, 11-28-89, 3-31-91, 11-11-91, 3-10-96, 7-20-97, 12-28-98, 7-5-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Dale Buys
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 2, 2003
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 7, 2003, Vol. 29, No. 6

PUBLIC SERVICE COMMISSION

DOCKET NO. 030415-TP

RULE TITLES:	RULE NOS.:
Customer Relations; Rules Incorporated	25-24.490
Rules Incorporated	25-24.585
Customer Relations; Rules Incorporated	25-24.845

PURPOSE AND EFFECT: To add subsections (11) and (12) of Rule 25-4.110 to Rules 25-24.490, 25-24.585 and 25-24.845, F.A.C., so that these subsections apply to interexchange, shared tenant service, and competitive local exchange companies. The amendments update the rules and remove references to obsolete taxation methods that resulted from the implementation of Chapter 202, F.S.

SUMMARY: The amended rules will require that the gross receipts tax, State sales tax, and the local option tax be combined into a State Communications Services Tax; that the municipal telecommunications taxes and fees be combined into the Local Communications Services Tax; and that interexchange, shared tenant service, and competitive local exchange companies list separately on a customer's bill the State Communications Services Tax and Local Communications Services Tax in accordance with Chapter 202, Florida Statutes.

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

SPECIFIC AUTHORITY: 350.127(2), 364.604(5), 427.704(8), 364.337(2) FS.

LAW IMPLEMENTED: 350.113, 364.03, 364.14, 364.15, 364.016, 364.17, 364.18, 364.183, 364.185, 354.339, 364.603, 364.19, 364.337, 364.602, 364.604 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6202

THE FULL TEXT OF THE PROPOSED RULES IS:

25-24.490 Customer Relations; Rules Incorporated.

(1) The following rules are incorporated herein by reference and apply to IXC's.

SECTION	TITLE	PORTIONS APPLICABLE
25-4.110	Customer Billing	Subsections, (11), (12), (14), (15), (17), (18), and (20)
25-4.111	Customer Complaint and Service Requests	All except Subsection (2)
25-4.112	Termination of Service by Customer	All
25-4.113	Refusal or Discontinuance of Service by Company	All
25-4.114	Refunds	All
25-4.117	800 Service	All
25-4.118	Local, Local Toll, or Toll Provider Selection	All

(2) through (3) No change.

Specific Authority 350.127(2), 364.604(5) FS. Law Implemented 364.03, 364.14, 364.15, 364.603, 364.19, 364.337 364.602, 364.604 FS. History—New 2-23-87, Amended 10-31-89, 3-5-90, 3-4-92, 3-13-96, 7-20-98, 12-28-98, 7-5-00.

25-24.585 Rules Incorporated.

(1) The following rules are incorporated herein by reference and apply to shared tenant service companies:

SECTION	TITLE	PORTIONS APPLICABLE
25-4.019	Records and Reports in General	All
25-4.020	Location and Preservation of Records	All except (1) and (3)
25-4.036	Design and Construction of Plant	All
25-4.043	Response to Commission Staff Inquiries	All
25-4.0161	Regulatory Assessment Fees; Telecommunication Companies	All
<u>25-4.110</u>	<u>Customer Billing</u>	<u>Subsections (11) and (12)</u>
25-4.160	Operation of Telecommunications Relay Service	All

(2) No change.

Specific Authority 350.127(2), 427.704(8) FS. Law Implemented 350.113, 364.016, 364.17, 364.18, 364.183, 364.185, 364.339 FS. History—New 1-28-91, Amended 12-29-91, 11-13-95, 7-29-97, 4-8-98, _____.

25-24.845 Customer Relations; Rules Incorporated.

The following rules are incorporated herein by reference and apply to CLECs. In the following rules, the acronym ‘LEC’ should be omitted or interpreted as ‘CLEC’.

SECTION	TITLE	PORTIONS APPLICABLE
25-4.110	Customer Billing	Subsections (11), (12), (14), (15), (16), (17), (18), and (20)
24-4.118	Local, Local Toll, or Toll Provider Selection	All

Specific Authority 350.127(2), 364.337(2), 364.604(5) FS. Law Implemented 364.337(2), 364.602, 364.604 FS. History—New 7-20-98, Amended 12-28-98, 7-5-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Buys

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 7, 2003, Vol. 29, No. 6

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

RULE NO.: 40C-8.031

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

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

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

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

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: Following the regularly scheduled Regulatory/Governing Board Meeting, which begins at 1:00 p.m., November 11, 2003.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177-2529

If a person decides to appeal any decision with respect to any matter considered at the above listed public hearing, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting: Ann Freeman, (386)329-4101 or (386)329-4450 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459, Suncom 860-4459, email nmesser@sjrwm.com

THE FULL TEXT OF THE PROPOSED RULE IS:

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

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

(a) through (e) No change.

(f) St. Johns River at SR 44 near DeLand, Volusia County.

	Level (ft NGVD)	Flow (cfs)	Duration	Return Interval
<u>Minimum Frequent High</u>	1.9	4600	>30 days	<3 years
<u>Minimum Average</u>	0.8	2050	<180 days	>1.5 years
<u>Minimum Frequent Low</u>	0.3	1100	<120 days	>5 years

(2) through (4) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Sonny Hall, Technical Program Manager, Department of
 Resource Management, St. Johns River Water Management
 District, P. O. Box 1329, Palatka, Florida 32178-1429,
 (386)329-4368, Suncom 860-4368
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Governing Board, St. Johns River
 Water Management District
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: September 9, 2003
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: July 11, 2003, with a correction
 published on July 18, 2003.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE TITLE: Covered Services
 RULE NO.: 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.

SUMMARY: 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.

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 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: 154.3105 FS.

LAW IMPLEMENTED: 154.306, 154.31 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 p.m., October 21, 2003

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, FL 32312

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

THE FULL TEXT OF THE PROPOSED RULE 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.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Hazel Greenberg

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Warring, Bureau Chief

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 4, 2003

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

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

PURPOSE AND EFFECT: The proposed rule amendment is intended to remove redundant language.

SUMMARY: The proposed rule amendment deletes language that is set forth in Rule 61G4-15.003, F.A.C.

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

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

- (1) through (2) No change.
- (3) Certificate Procedures.
- (a) No change.

(b) Other Certification Procedures and Fees. Other certification procedures and fees for certified glass and glazing specialty contractors shall be the same as those provided for the certification of other contractors as set forth in Sections 489.109, 489.111(3), 489.003, Florida Statutes and Rules 61G4-12.009 and 61G4-15.005, F.A.C. ~~The amount of liability insurance required for glass and glazing specialty contractors is set forth shall be as follows: \$100,000.00 public liability insurance and \$25,000.00 property damage insurance. Applicants for certification shall submit competent substantial evidence to the Board demonstrating that the applicant has a net worth of at least \$10,000.00. Applicants must also submit evidence of having met the requirements of paragraphs 61G4-15.003(2)(h) and 61G4-15.005(3)(a), F.A.C., for this specialty.~~

Specific Authority 120.53, 489.113(6), 489.115(5), 455.217(1) FS. Law Implemented 120.53, 489.113(6), 489.115(5), 455.217(1) FS. History—New 7-9-03, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Normal Penalty Ranges
 RULE NO.: 61G4-17.001

PURPOSE AND EFFECT: The proposed rule amendment sets forth revisions to the normal penalty ranges.

SUMMARY: The propose rule amendment intends to align the numbering in this rule with the numbering in Section 489.129, F.S.

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

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

SPECIFIC AUTHORITY: 455.227, 489.108, 489.129 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 489.129 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-17.001 Normal Penalty Ranges.

(1) The following guidelines shall be used in disciplinary cases, absent aggravating or mitigating circumstances and subject to other provisions of this Chapter.

- (1) through (3) renumbered (a) through (b) No change.
- (a) through (b) renumbered 1. through 2. No change.

~~(4) 489.129(1)(d): Violation of state or local building codes or laws. First violation, \$500 to \$1,250 fine; repeat violation, \$1,250 to \$5,000 fine and suspension or revocation.~~

~~(d)(5) 489.129(1)(d)(e):~~ Assisting unlicensed person to evade provision of Chapter 489. First violation, \$500 to \$2,500 fine; repeat violation, \$2,500 to \$5,000 fine and suspension or revocation.

~~(e)(6) 489.129(1)(e)(f):~~ Combining and conspiring with unlicensed person or entity to evade provision of Chapter 489. First violation, \$500 to \$2,500 fine; repeat violation, \$2,500 to \$5,000 fine and suspension or revocation.

~~(f)(7) 489.129(1)(f)(g), 489.119:~~ Failure to qualify a firm, and/or acting under a name not on license. Repeat violation \$750 to \$1,500 fine.

~~(g)(8) 489.129(1)(g)(h):~~ Mismanagement or misconduct causing financial harm to the customer. First violation, \$750 to \$1,500 fine and/or probation; repeat violation, \$1,500 to \$5,000 fine and suspension or revocation.

~~(h)(9)~~ 489.129(1)(h)(~~+~~): Local disciplinary action. Use penalty herein listed for the violation most closely resembling the act underlying the local discipline; repeat violation, same method, use the penalty herein for repeat violation.

~~(i)(10)~~ 489.129(1)(i)(~~+~~): Failing in any material respect to comply with the provisions of Part I of Chapter 489.

1. 489.1195(1)(a) or (1)(e): Failure to supervise construction activities. First violation, \$250 to \$1,000 fine and/or probation; repeat violation, \$1,000 to \$5,000 fine and suspension or revocation.

2. 489.113, 489.117: Contracting beyond scope of practice allowed by license, no safety hazard. First violation, \$500 fine, repeat violation, \$500 to \$2,500 fine and suspension or revocation.

3. 409.113, 489.117: Contracting beyond scope of license, safety hazard is created. First violation, \$1,000 to \$2,500 fine; repeat violation, \$2,500 to \$5,000 fine and suspension or revocation.

4. 489.1425: Failure to notify residential property owner of recovery fund. First violation, \$100 to \$500 fine; repeat violation, \$1,000 fine.

5. 489.115: Contracting with a delinquent license. Repeat violation, \$1,000 to \$2,500 fine and suspension or revocation. Any violation, Respondent must pay all fees and costs required to place license in current and active status, in addition to fines specified herein.

6. 489.116: Contracting with an inactive license. First violation, \$250 to \$500 fine; repeat violation, \$500 to \$1,000 fine and suspension or revocation.

7.(~~+~~) No change.

1. through 2. renumbered a. through b. No change.

~~(b) 489.113, 489.117: Contracting beyond scope of practice allowed by license, no safety hazard. First violation, \$500 fine, repeat violation, \$500 to \$2,500 fine and suspension or revocation.~~

~~(c) 489.115: Contracting with a delinquent license. Repeat violation, \$1,000 to \$2,500 fine and suspension or revocation. Any violation, Respondent must pay all fees and costs required to place license in current and active status, in addition to fines specified herein.~~

~~(d) 489.117, 489.113: Contracting beyond scope of license, safety hazard is created. First violation, \$ 1,000 to \$2,500 fine; repeat violation, \$ 2,500 to \$ 5,000 fine and suspension or revocation.~~

8.(~~e~~) 489.119: Failure to register qualified business organization. Repeat violation, \$500 to \$1,000 fine and suspension or revocation.

9. 489.119(a)(b): License number not appearing in advertisement. First violation, \$100; repeat violation, reprimand and \$250 to \$1,000 fine.

10.(~~f~~) No change.

~~(g) 489.116: Contracting with an inactive license. First violation, \$ 250 to \$ 500 fine; repeat violation, \$ 500 to \$ 1,000 fine and suspension or revocation.~~

~~(h) 489.1195: Failure to supervise construction activities. First violation, \$250 to \$1,000 fine and/or probation; repeat violation, \$1,000 to \$5,000 fine and suspension or revocation.~~

~~(i) 489.119: Failure to register qualified business organization. Repeat violation, \$500 to \$1,000 fine and suspension or revocation.~~

~~(j) 489.1425: Failure to notify residential property owner of recovery fund. First violation, \$100 to \$ 500 fine; repeat violation, \$ 1,000 fine.~~

~~(j)(11) 489.129(1)(j)(~~+~~): Abandonment. First violation, \$500 to \$2,000 fine; repeat violation, revocation and \$5,000 fine.~~

~~(k)(12) 489.129(1)(k)(~~+~~): False payment statements, false statement of insurance coverage.~~

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

~~(l)(13) 489.129(1)(l)(~~+~~): Committing fraud or deceit in the practice of contracting.~~

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

~~(m)(14) No change.~~

(a) through (d) renumbered 1. through 4. No change.

1. through 3. renumbered a. through c. No change.

~~(n)(15) 489.129(1)(n)(~~+~~): Being found guilty of gross negligence, repeated negligence, or negligence resulting in a significant danger to life or property. First violation, \$500 to \$1,500 fine and suspension or revocation; repeat violation, \$1,500 to \$5,000 fine and suspension or revocation.~~

~~(o)(16) 489.129(1)(o)(~~+~~): Proceeding on any job without obtaining applicable local building department permits and/or inspections.~~

(a) through (c) renumbered 1. through 3. No change.

~~(p)(17) 489.129(1)(p)(~~+~~): Intimidating, threatening, coercing, or otherwise discouraging the service of a notice to owner or notice to contractor pursuant to Chapter 713. First violation, \$1,000 to \$2,500 fine and suspension or revocation; repeat violation, \$2,500 to \$5,000 fine and suspension or revocation.~~

(q)(18) 489.129(1)(q) Failure to satisfy a civil judgment obtained against the licensee or the business organization qualified by the licensee within a reasonable time. First violation, \$500 to \$1,000 fine and/or proof of satisfaction of civil judgment; repeat violation, \$1,000 to \$5,000 fine and/or proof of satisfaction of civil judgment, suspension or revocation. For purposes of this section "reasonable time" means ninety (90) days following the entry of a civil judgment that is not appealed. The Board will consider a mutually agreed upon payment plan as satisfaction of such judgment, so long as the payments are current.

(r) Violation of state or local building codes or laws. First violation, \$500 to \$1,250 fine; repeat violation, \$1,250 to \$5000 fine and suspension or revocation.

(19) through (20) renumbered (2) through (3) No change.

(4)(21) For any violation occurring after October 1, 1988, the board may order the contractor to make restitution in the amount of financial loss suffered by the consumer. Such restitution may be ordered in addition to the penalties provided by these guidelines without demonstration of aggravating factors set forth in Rule 61G4-17.002, F.A.C. and to the extent ~~extend~~ that such order does not contravene federal bankruptcy law.

(5)(22) No change.

(23) For purposes of Section 489.129(1)(r), F.S., "reasonable time" means ninety (90) days following the entry of a civil judgment that is not appealed. The Board will consider a mutually agreed upon payment plan as satisfaction of such a judgment so long as the payments are current.

Specific Authority 455.227, 489.108, 489.129 FS. Law Implemented 455.227, 455.2273, 489.129 FS. History--New 10-26-86, Amended 12-21-92, Formerly 21E-17.001, Amended 11-2-93, 10-12-94, 7-2-95, 9-3-96, 10-31-96, 2-4-98, 8-2-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Approval of Continuing Education Courses

RULE NO.: 61G4-18.004

PURPOSE AND EFFECT: The Board proposes this rule amendment to make necessary changes in the requirements of Continuing Education course renewals.

SUMMARY: The proposed rule amendment intends to extend the validation period from date of issuance for approval of continuing 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 to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 455.2123, 489.108, 489.115 FS.

LAW IMPLEMENTED: 489.115 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.004 Approval of Continuing Education Courses.

(1) through (5) No change.

(6) Continuing education course approval is valid for three (3) ~~two~~ years from date of issue, provided no substantial change is made in the course and the approval status of the provider has not expired or been suspended or revoked. Substantial changes made in any course will require a new approval of that course. A provider must reapply for course approval ninety (90) days prior to the date of expiration of course approval in order to prevent a lapse in course approval.

(7) through (10) No change.

Specific Authority 455.2123, 489.108, 489.115 FS. Law Implemented 489.115 FS. History--New 12-2-93, Amended 7-20-94, 1-18-95, 7-2-95, 11-25-97, 5-30-00, 3-25-01.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE TITLE: Fees

RULE NO.: 61J1-2.001

PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes and an increase in the processing fee of fingerprint cards as charged by outside vendor.

SUMMARY: The proposed rule change affects rule provisions relating to fees.

SUMMARY OF STATEMENT OF ESTIMATE OF REGULATORY COSTS: No Statement of Estimated Regulatory Costs was 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: 475.614 FS.
 LAW IMPLEMENTED: 215.34, 215.405, 455.217, 455.2281, 475.6147, 475.615, 475.618, 475.619, 475.630 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF REQUESTED, AN ADDITIONAL WORKSHOP WILL BE NOTICED IN THE FAW)

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, October 7, 2003

PLACE: Division of Real Estate, Commission Meeting Room 901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley Dashnaw, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-2.001 Fees.

(1) The application fee shall be as follows:

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

(2) The biennial fee shall be:

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

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

Application	\$50.00
Biennial Permit	\$50.00

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

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

(5) Temporary Practice fee \$50.00

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

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

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

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

(10) Examination Review \$35.00

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

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

(a) Requests received by the examination vendor 3 or more days prior to the scheduled date	No fee
(b) Requests received by the examination vendor less than 3 days prior to the scheduled date	\$15.00
(13) Fingerprint Card Processing Fee	\$47 \$39.00
(14) Application fee for a registered trainee assistant , licensed or certified appraiser to obtain a different status when such application is received by the department within 180 days prior to through 180 days after the renewal period established in Rule 61J1-2.002, Florida Administrative Code	\$50.00

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: License Fees and Examination Fees RULE NO.: 61J2-1.011

PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes and an increase in the processing fee of fingerprint cards from \$39 to \$47 as charged by outside vendor.

SUMMARY: The proposed rule change affects rule provisions to fee and licensure designation.

SUMMARY OF STATEMENT OF ESTIMATE OF REGULATORY COSTS: No Statement of Estimated Regulatory Costs was 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: 475.05 FS.

LAW IMPLEMENTED: 68.065(2), 455.217, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-1.011 License Fees and Examination Fees.

(1) Every person, partnership, limited liability partnership, corporation or limited liability company deemed and held to be a licensee under Chapter 475, Florida Statutes, must register with the Florida Real Estate Commission (Commission) and must secure a license for each license period.

(2) The application fee for licensure shall be as follows:

- (a) Initial application
 - Broker \$20.00
 - ~~Sales Associate Salesperson~~ \$20.00
- (b) Fingerprint Card Processing Fee \$47.00 ~~39.00~~
- (3) The biennial license fee for an active licensee shall be:
 - Broker \$90.00
 - ~~Sales Associate Salesperson~~ \$80.00
 - Branch office for Broker \$80.00

(4) The fee and the time of payment for inactive license shall be the same as for an active license, as set forth in subsection (3) of this rule; however, there is no inactive branch office.

(5) The following fees shall be charged for the following purposes:

- (a) Change of Individual License to Professional Association or Professional Association to Individual License \$30.00

(b) Checks returned due to insufficient funds or account closed:

- face value does not exceed \$50.00 \$25.00
- face value exceeds \$50.00 but does not exceed \$300.00 \$30.00
- face value exceeds \$300.00 (Section 68.065, Florida Statutes) \$40.00

or an amount up to 5% of the face amount of the check, whichever is greater

- (c) Late fee \$45.00
- (d) Duplicate License \$25.00

(6) The Commission may conduct seminars and publish and sell the following documents at cost, which may or may not vary with each class or printing:

Wall Certificate of License Course syllabus

(7) The license fee for school related categories shall be as follows:

- (a) Application for School Instructor \$20.00

- (b) Fingerprint Card Processing Fee \$47.00 ~~39.00~~
- (c) The biennial Permit Fees shall be:
 - School Permitholder \$130.00
 - Additional Location for Permitholder \$45.00
 - Chief Administrative Person \$80.00
 - School Instructor \$80.00

- (8) Entity, sponsor, organization and individual equivalent education course offering:
 - For each application for approval of education offering \$80.00
 - For each biennial education course offering renewal \$80.00

(9) The initial application for registration of a corporation, partnership, limited liability company or limited liability partnership is:

- Corporation, partnership, limited liability company or limited liability partnership \$90.00
- Branch office for a corporation, partnership, limited liability company or limited liability partnership \$80.00

(10) The biennial renewal of a corporation, partnership, limited liability company or limited liability partnership registration fee shall be:

- Corporation, partnership, limited liability company or limited liability partnership \$90.00
- Branch office for a corporation, partnership, limited liability company or limited liability partnership \$80.00

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

- (a) Requests received by the examination vendor 3 or more days prior to the scheduled date no fee
- (b) Requests received by the examination vendor less than 3 days prior to the scheduled date \$45.00

Specific Authority 475.05 FS. Law Implemented 455.217, 455.2281, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451, 68.065(2) FS. History—New 10-10-79, Amended 1-1-80, 4-14-81, 9-13-82, 10-19-83, 8-12-84, 10-13-85, Formerly 21V-1.11, Amended 2-1-87, 1-1-88, 5-5-88, 10-13-88, 9-10-89, 1-4-90, 2-13-90, 3-27-90, 8-21-90, 10-9-90, 1-13-91, 8-19-91, 7-1-93, Formerly 21V-1.011, Amended 7-18-94, 12-17-95, 12-30-97, 1-19-99, 4-18-99, 2-24-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 17, 2003, Section I

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 TITLE: List of Approved Forms; Incorporation
 RULE NO.: 64B8-1.007

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate a revised form into the rule.

SUMMARY: The proposed rule amendment incorporates the revised Physician Assistant Supervision Data Form into the rule.

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

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

SPECIFIC AUTHORITY: 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

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

- (1) through (24) No change.
- (25) DH-MQA 2004, entitled “Physician Assistant Supervision Data Form,” (Rev. 7/03) (+0/00).

Specific Authority 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 FS. History—New 4-17-01, Amended 11-20-01, 8-13-02, 11-10-02, 3-19-03, 6-4-03, _____.

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: August 2, 2003
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Physician Assistant Licensure
 RULE NO.: 64B8-30.003

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify requirements for applicants who have failed the NCCPA PANCE examination more than five times.

SUMMARY: The proposed rule amendments specify criteria for physician assistant applicants prior to sitting for the sixth NCCPA PANCE examination attempt.

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, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 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 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:

- 64B8-30.003 Physician Assistant Licensure.
- (1) No change.
- (2) Applicants ~~for licensure~~ who have not passed the NCCPA PANCE ~~licensure~~ examination within five (5) attempts and have not practiced as a fully licensed physician assistant shall be required to successfully complete a minimum of three (3) months in a full time review course at an accredited physician assistant program approved by the Chair of the

Physician Assistant Committee prior to sitting for the sixth examination attempt. Said, ~~which~~ completion shall be documented by a letter signed by the head of the program stating that the applicant has satisfactorily completed the course.

(3) through (6) No change.

Specific Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History—New 4-28-76, Amended 1115-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11-30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28-00, 3-3-02, 5-19-03,_____.

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: August 2, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Physician Assistant Performance
PURPOSE AND EFFECT: The proposed rule amendment is intended to address the appropriate review of medical charts by supervising physicians.

RULE NO.: 64B8-30.012

SUMMARY: The proposed rule amendments clarify the appropriate review of medical charts by supervising physicians with regard to the physician assistants they supervise.

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, 458.347(4)(a), (13) FS.
LAW IMPLEMENTED: 458.347(2), (3), (4), (13) 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:

64B8-30.012 Physician Assistant Performance.

(1) through (2) No change.

(3) All tasks and procedures performed by the physician assistant must be documented in the appropriate medical record. During the initial six months of supervision of each physician assistant all documentation by the physician assistant in a medical chart must be reviewed, signed and dated by a supervising physician within seven days. Subsequent thereto, a supervising physician must review, sign and date all documentation by a physician assistant in medical charts within 30 days. ~~The supervising physician must review, sign and date the physician assistant record within seven (7) days.~~

(4) No change.

Specific Authority 458.309, 458.347(4)(a),(13) FS. Law Implemented 458.347(2),(3),(4),(13) FS. History—New 5-13-87, Amended 7-7-87, 11-15-88, 9-15-92, Formerly 21M-17.012, Amended 11-4-93, Formerly 61F6-17.012, 59R-30.012, Amended 10-13-98, 3-28-99,_____.

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: August 2, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Citation Authority
PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify violations which are appropriate for issuance of citations.

RULE NO.: 64B8-30.014

SUMMARY: The proposed rule amendments clarify required continuing medical education violations which are appropriate for issuance of citations.

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: 456.077, 458.309, 458.347(7)(g),(12) FS.

LAW IMPLEMENTED: 456.077, 458.331, 458.347(7)(g),(12) 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:

64B8-30.014 Citation Authority.

(1) through (2) No change.

(3) The following violations with accompanying penalty may be disposed of by citation with the specified penalty:

VIOLATIONS	PENALTY
(a) CME violations. (Sections 458.347(7)(c), 458.331(1)(g),(x), 456.072(1)(e),(s), F.S.)	Within twelve months of the date the citation is issued, Respondent must submit certified documentation of completion of all CME requirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND pay a \$250 fine
1. Failure to document required HIV/AIDS CME. (Section 456.033, F.S.)	\$250 fine
2. Failure to document required domestic violence or end-of-life and palliative health care CME. (Section 456.031, F.S.)	\$250 fine
3. Failure to document required prevention of medical errors CME. (Section 456.013(7), F.S.)	\$250 fine
4. Failure to document both the required HIV/AIDS and domestic violence, or end-of-life and palliative health care CME.	\$500 fine
5. Documentation of some, but not all, 100 hours of required CME for license renewal.	\$25 fine for each hour not documented
(b) through (f) No change.	
(4) through (7) No change.	

Specific Authority 456.077, 458.309, 458.347(7)(g), (12) FS. Law Implemented 456.077, 458.331, 458.347(7)(g), (12) FS. History—New 3-3-02, Amended 5-19-03, _____.

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: August 2, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.: 4-154.525
 RULE TITLE: Standard and Basic Benefit Plans
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 29, No. 16, April 18, 2003, of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-10	RULE CHAPTER TITLE: Outdoor Advertising Sign Regulation and Highway Beautification Program
RULE NO.: 14-10.0052	RULE TITLE: Comprehensively Enacted Zoning and Zoning Enacted Primarily to Permit Signs

NOTICE OF CHANGE

SUMMARY: The notice of rulemaking was published in Florida Administrative Weekly, Vol. 28, No. 48, November 22, 2002. A public hearing was requested and held on December 18, 2002. Notice of a second hearing was published in Section III of Florida Administrative Weekly, Vol. 29, No. 7, dated February 14, 2003. The second hearing was held on April 3, 2003, as scheduled.

The complete text of the proposed rule, as changed following the two public hearings is as follows:

14-10.0052 Comprehensively Enacted Zoning and Zoning Enacted Primarily to Permit Signs.

(1) "Comprehensively Enacted Zoning" means ordinances or other laws adopted by the county or municipal government with authority over the development and use of a parcel of land, pertaining to and designating the currently allowable uses on the parcel, pursuant to and consistent with a comprehensive plan enacted in accordance with Chapter 163, Florida Statutes. The term does not include actions taken primarily to permit signs as defined in section (3) of this rule.

(2) For purposes of this rule, "parcel" shall mean all the contiguous lands under the same ownership and the same land use designation adopted pursuant to Chapter 163, Florida Statutes.

(3) The Department shall consider the following criteria when determining whether commercial or industrial zoning applicable to a parcel of land was adopted primarily to permit the erection or maintenance of signs:

(a) Whether the uses allowed by the applicable zoning ordinance or law include commercial or industrial uses in addition to signs. The following uses are not recognized as commercial or industrial use for the purposes of these criteria:

1. Agricultural, forestry, ranching, grazing, farming, or related activities, including wayside fresh produce stands.
2. Transient or temporary activities.
3. Railroad tracks and minor sidings.
4. Communication towers.
5. Electric transmission, telephone, telegraph, or other communications services lines.
6. Ditches, sewers, water, heat, or gas lines.
7. Pipelines, tanks, or pumps.
8. Fences.
9. Drainage ponds or water retention facilities.
10. Canals.
11. Roads.
12. Signs.

(b) Whether the size of the parcel would be sufficient to conduct the commercial or industrial uses allowed on the parcel under the applicable county or municipal government building and development code requirements for commercial or industrial activities, including setback requirements, parcel size and dimension requirements, and parking requirements.

(c) Whether the parcel is located contiguous to other properties zoned or used for commercial or industrial activities.

(d) Whether there is public access to the parcel sufficient to conduct the commercial or industrial uses allowed on the parcel.

(e) Whether the public statements and materials published in connection with any zoning decision affecting the parcel, including all public records pertaining to the zoning decision, indicate the zoning decision was taken primarily to permit the erection or maintenance of signs.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 479.07(10) FS. History—New _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-98	Highway Traffic Safety Program
RULE NOS.:	RULE TITLES:
14-98.005	Application and Award Procedures
14-98.008	Forms

NOTICE OF CHANGE

SUMMARY OF CHANGE: The proposed amendment is to incorporate by reference a revised Form 500-065-01, Rev. 06/03. The following changes to the form resulted from a review by the Joint Administrative Procedures Committee.

1. Form 500-065-01, Part V, Paragraph 3: The reference to 287.134(3)(b) is being changed to (3)(a) and the inserted language is being updated to show current statutory language.

2. Form 500-065-01, Part V, Paragraph 7: The following sentence is being deleted in its entirety: "Changes made prior to getting written approval shall be subject to the denial of reimbursement."

3. Form 500-065-01, Part V, Paragraph 31: The following sentence is being deleted in its entirety: "The head of the agency shall request approval from the Safety Office to hire the individual(s) selected for the new position(s) prior to the start date."

Notice was published in Florida Administrative Weekly, Vol. 29, No. 31, August 1, 2003.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-209.101	Staff Development – Definitions
33-209.1015	Training Development and Delivery
33-209.102	Minimum Training Requirements
33-209.103	Firearms Training and Other Certification Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 33, (August 15, 2003), issue of the Florida Administrative Weekly: (Substantial rewording of Rule 33-209.101 follows. See Florida Administrative Code for present text.)

33-209.101 Staff Development – Definitions.

For the purposes of this chapter:

(1) "Academy", ~~where used herein,~~ means the Florida Corrections Academy, within the Department of Corrections, which is a certified criminal justice training school.

(2) "Alternate Firearms", ~~where used herein,~~ refers to the 9mm pistol, shotgun, or rifle issued or authorized by the Department of Corrections for use by correctional officers while on duty.

(3) “Automated Training Management System (ATMS II)”, ~~where used herein~~, means the statewide training and certification database maintained by the Florida Department of Law Enforcement (FDLE) for all certified officers.

(4) “Certified Firearms Instructor”, ~~where used herein~~, refers to an individual certified by the CJSTC and designated by the department to teach commission-approved basic, advanced, and specialized firearm training courses.

(5) “Circuit Administrator”, ~~where used herein~~, means a Department of Corrections employee who is the administrator in charge of a circuit’s ~~community facilities~~.

(6) “Commission Approved Firing Range”, ~~where used herein~~, refers to a firing range that is approved for use in teaching CJSTC basic, advanced, and specialized firearm courses as outlined in paragraph 11B-21.005(1)(d), F.A.C.

(7) “Correctional Officer”, ~~where used herein~~, means a Department of Corrections employee in the Correctional Officer occupational ~~class~~ series.

(8) “Correctional Officer Basic Recruit Firearms Training Course”, ~~where used herein~~, refers to the 60 hour training program approved by the CJSTC to teach officers how to handle firearms safely and how to fire them accurately.

(9) “Correctional Probation Officer”, ~~where used herein~~, means a Department of Corrections employee in the Correctional Probation Officer occupational ~~class~~ series ~~assigned to community supervision~~.

(10) “Correctional Probation Officer Basic Firearms Training Course”, ~~where used herein~~, refers to the 44 hour training program approved by the CJSTC to teach correctional probation officers how to handle firearms safely and how to fire them accurately.

(11) “Course of Fire”, ~~where used herein~~, refers to the specific directions given by firearm instructors to an officer to fire a firearm such as number of rounds to be fired, from what position, and at what type of target.

(12) “Criminal Justice Standards and Training Commission (CJSTC)”, ~~where used herein~~, refers to the Governor-appointed commission that oversees minimum employment and training standards for all law enforcement officers, correctional officers and correctional probation officers in Florida.

(13) No change.

(14) “Electronic Firearms System”, ~~where used herein~~, refers to a computer-assisted firearms simulator utilizing a laser marking system to track and identify target hits. The system is used indoors in controlled settings and designed to improve basic marksmanship skills and reduce live fire training cost. These machines are used to conduct specialized and advanced courses approved by the Criminal Justice Standards and Training Commission.

(15) “Firearms Initial Qualification”, ~~where used herein~~, refers to the academic and performance test approved by the CJSTC to measure firearms proficiency.

(16) “Firearms Pre-Qualification Training”, ~~where used herein~~, refers to the training provided by the department to prepare for annual firearms re-qualification.

(17) Firearms Qualification and Authorization Card, ~~where used herein~~, means the document issued to correctional probation officers who have been authorized by the department to carry a firearm. The card will expire the following year, on the last day of the month the card was issued, unless written documentation of re-qualification is submitted to authorizing entity prior to the expiration date. Form DC3-223 is used for this purpose. Form DC3-223 is incorporated by reference in Rule 33-302.104, F.A.C.

(18) “Firearms Re-qualification”, ~~where used herein~~, refers to the academic, performance test, and course of fire approved by the department to annually measure proficiency with firearms.

(19) “Florida Department of Corrections Training Database (DTD)”, ~~where used herein~~, refers to the single, official, filing system for all training attendance for employees of the department.

(20) “In-service Training”, ~~where used herein~~, means all training approved by the office of staff development in the Bureau of Human Resources or the CJSTC for all Department of Corrections employees and other specified personnel to enhance their knowledge, skills and abilities for the jobs they perform. All approved training except orientation training and pre-employment firearms training shall be recorded toward the department’s annual in-service training requirement.

(21) “Mandatory Retraining”, ~~where used herein~~, means the training or education required to maintain active certification by the CJSTC as a Correctional Officer or Correctional Probation Officer. This requirement must be met from successfully completed law enforcement advanced courses, career development courses, specialized courses, agency in-service courses, or courses at colleges, community colleges and vocational-technical centers, all of which must be approved by the Commission for mandatory retraining. Advanced and career development courses taken for salary incentive pay cannot be counted for mandatory retraining.

(22) “Mission Essential Skills, Knowledge and Abilities”, ~~where used herein~~, refers to those skills, knowledge and abilities required to execute the organization’s core process.

(23) “Orientation Training”, ~~where used herein~~, means the training approved by Staff Development for all new Department of Corrections employees and other specified personnel to orient them to the department’s operations.

(24) “Primary Firearm”, ~~where used herein~~, refers to the revolver issued or authorized by the department for use by a correctional officer or correctional probation officer in the course of their duties.

(a) No change.

(b) The primary firearm for ~~senior~~ inspectors is the approved weapon designated by the Office of the Inspector General.

(c) No change.

(25) "Range Master", ~~where used herein~~, refers to the CJSTC firearms certified instructor who meets the eligibility requirements and is responsible for all facets of firearm training on the firing range. Staff development, institutions, or circuits may designate more than one range master at each facility.

(26) "Regional Training Coordinator", ~~where used herein~~, refers to the staff development employee who has overall responsibility for managing training programs in a particular geographic location.

(27) "Remedial Firearms Training", ~~where used herein~~, refers to training provided by the department for an officer to increase proficiency or accuracy with firearms after individual deficiencies have been demonstrated.

(28) "Staff Development", ~~where used herein~~, means the office, located within the Office Bureau of Human Resources of the Department of Corrections, responsible for development and management of training, within the Department of Corrections.

(29) "Training", ~~where used herein~~, means an organized, planned, and evaluated activity designed to achieve specific learning objectives and enhance the job performance of personnel. Training may occur on site, at an academy or training center, an institution of higher learning, during professional meetings, or through contract service or closely supervised on-the-job training. It includes a formal agenda and instruction by a teacher, manager, or official; physical training; or other instruction programs that include a trainer/trainee relationship. Training programs usually include requirements for completion, attendance recording, and a system for recognition of completion.

(30) "Training Year", ~~where used herein~~, is defined as the period from July 1 of one year through June 30 of the following calendar year.

(31) "Warden", ~~where used herein~~, means the Department of Corrections employee who is the administrator in charge of a correctional institution.

(32) "Weapons Qualification Card", ~~where used herein~~, means the document issued to correctional officers who have been authorized by the department to carry a firearm. The card will expire the following year, on the last day of the month the card was issued, unless written documentation of re-qualification is submitted to authorizing entity prior to the expiration date. Form DC6-277 is used for this purpose. Form DC6-277 is incorporated by reference in Rule 33-209.103, F.A.C.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History--New 8-26-87, Formerly 33-25.001, Amended _____.

33-209.1015 Training Development and Delivery.

(1) No change.

~~(2)(1)~~ The Office of Staff Development in the Office Bureau of Human Resources will develop the department's master training plan. The master training plan will be reviewed and updated annually based on an annual needs assessment which identifies current job related training needs. In addition, the plan will provide for on-going written evaluations of all departmental training courses including orientation, pre-service, in-service, mandatory, and specialized training. The plan will also identify resources to facilitate career development and provide a formal evaluation of the training program.

~~(3)(2)~~ No change.

~~(4)(3)~~ No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History--New _____.

33-209.102 Minimum Training Requirements.

The following minimum training requirements are for the effective operation of the Department:

(1) No change.

(2) All new employees assigned to community corrections and institutions ~~institutional facilities~~ shall successfully complete a minimum of 40 hours of orientation training prior to their first job assignment. This training shall include pre-employment or basic recruit firearms training and qualification for untrained Correctional Officer recruits as specified in subsection 33-209.103(1), F.A.C.

(3) through (10) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09, 944.105 FS. History--New 8-26-87, Amended 7-4-88, Formerly 33-25.002, Amended _____.

(Substantial rewording of Rule 33-209.103 follows. See Florida Administrative Code for present text.)

33-209.103 Firearms Training and Other Certification Requirements.

(1) No change.

(2) Initial Firearms Qualification.

(a) through (c) No change.

(d) All correctional probation officers authorized to use a firearm will successfully complete the CJSTC approved 44 hour correctional probation basic firearms training course and the department-approved 16 hour correctional probation basic firearms training phase II course prior to being authorized to carry a firearm. Any correctional probation officer who has already completed the CJST approved 44 hour correctional probation basic firearms training course must complete the department approved 16 hour phase II course by December 1, 2005 ~~within 24 months from the effective date of this rule revision~~.

(e) through (f) No change.

~~(3)(2)~~ Firearms Re-qualification.

(a) All staff authorized to carry a firearm must be provided the opportunity to prepare for annual firearm re-qualification by participating in firearms pre-qualification training ~~if requested.~~

1. through 4. No change.

(b) through (e) No change.

~~(4)(3)~~ Remedial Firearms Training.

(a) through (c) No change.

(d) In the event a correctional officer fails to qualify after remedial firearms training, the range master will notify the warden.

1. No change.

2. A correctional officer who fails to successfully complete annual firearms requalification after remedial firearms training has been provided shall be charged with failure to maintain minimum employment qualifications and shall be removed from the correctional officer occupational series. The only exceptions are cases of temporary total disability or pregnancy complications, as certified by a medical doctor, for which the warden is authorized to extend the requalification deadline when the warden determines that an extension would be in the best interest of the department. The warden will assign the officer to a training facility within ten days from the date of failure to qualify.

~~3. The correctional officer will be enrolled in specialized individual training prior to reassignment out of the correctional officer series or termination.~~

(e) No change.

~~(5)(4)~~ Approved Firearms and Ammunition.

(a) No change.

(b) A correctional probation officer will use one of the following types of firearms when qualifying:

1. through 2. No change.

~~3. Factory new .38 caliber special ammunition at standard velocity, or Plus P velocities with either 125 to 158 grain hollow point;~~

4. through 5. renumbered 3. through 4. No change.

(c) No change.

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

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 943.10, 943.13, 943.135, 943.17, 943.175, 943.22, 944.09 FS. History--New 8-26-87, Amended 11-1-90, Formerly 33-25.003, Amended _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.203 Control of Contraband

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. 33, (August 15, 2003), issue of the Florida Administrative Weekly:

33-602.203 Control of Contraband.

(1) through (4) No change.

(5)(a) No money shall be given directly to or received by an inmate assigned to a work release center unless authorized by the chief of security or his designated representative. On a case by case basis, each chief of security may authorize a draw of funds from the inmate's account that has not been drawn from the inmate's bank fund or that exceeds the approved amount authorized under subsection 33-203.201(3), F.A.C., if a specific request is made and a review determines it is warranted. Any money found in the possession of an inmate in excess of \$100 ~~75~~ in work release centers shall be considered contraband and shall be confiscated and deposited in the general revenue fund.

(b) through (8) No change.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:
61D-7.010 Daily Three Pool
NOTICE OF CORRECTION

Notice is hereby given that the Notice of Proposed Rulemaking for the above rule which appeared in Vol. 29, No. 35, Florida Administrative Weekly, August 29, 2003, should read as follows:

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. – 4:00 p.m., October 1, 2003
PLACE: Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco Conference Room, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399

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 Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-17.001 Continuing Education Required for License Renewal

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 17, April 25, 2003, Florida Administrative Weekly has been withdrawn.

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-9.004 Permits for Hunting or Other
 Recreational Use on Type I
 Wildlife Management Areas

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed amendments to Rule 68A-9.004, F.A.C., as published in Vol. 29, No. 30, July 25, 2003 issue of the Florida Administrative Weekly. The changes are in response to public comment, testimony, and Commission discussion contained in the record of the public hearing held by the Commission on September 3, 2003, in Pensacola Beach, Florida. The proposed rule amendments, as changed, will read as follows:

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 – \$275
- 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 – 300
- 8. Ft. McCoy – 150
- 9. Gulf Hammock – 400
- 10. 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, _____

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-15.065 Specific Regulations for Type I
 Wildlife Management Areas –
 Northeast Region

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed amendments to Rule 68A-15.065, F.A.C., as published in Vol. 29, No. 30, July 25, 2003 issue of the Florida Administrative Weekly. The changes are in response to public comment, testimony, and Commission discussion contained in the record of the public hearing held by the Commission on September 3, 2003, in Pensacola Beach, Florida.

The rule is changed to read as follows:

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 s. 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 s. 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, _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
68B-35	Pompano, African Pompano, and Permit
RULE NOS.:	RULE TITLES:
68B-35.002	Definitions
68B-35.003	Size and Bag Limits; Prohibition of Sale
68B-35.004	Gear Specifications and Prohibited Gear
68B-35.005	Commercial Pompano Harvest Requirements; Pompano Endorsement Criteria; Pompano Special Activity License Criteria; State Waters Pompano Daily Harvest Limits and License Requirements for Sale or Purchase

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed amendments for Rule Chapter 68B-35, F.A.C., as published in Vol. 29, No. 17, April 25, 2003 issue of the Florida Administrative Weekly, with a Notice of Continued Hearing published in Vol. 29, No. 31, August 1, 2003 issue. The changes are in response to public comment, testimony, and Commission discussion contained in the record of the public hearing held by the Commission on September 4, 2003, in Pensacola Beach, Florida. The proposed rule amendments have been changed to read as follows:

68B-35.002 Definitions.

As used in this rule chapter:

(1) through (2) No change.

(3) “Fork length” means the length of a fish as measured from the most forward point of the head to the rear center edge of the tail.

(4) through (7) No change.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-89, Amended 1-1-96, Formerly 46-35.002, Amended _____.

68B-35.003 Size and Bag Limits; Prohibition of Sale.

(1) Size Limits.

(a) No person shall harvest in or from state waters, or possess while in or on state waters, any pompano or permit, with a fork length less than 11 1/4 inches, or greater than 20 inches, except that a person harvesting pursuant to the bag limit specified in paragraph (2)(a) of this rule may harvest and possess one pompano or permit greater than 20 inches in fork length. No person shall purchase, sell, or exchange any pompano or permit with a fork length less than 11 1/4 inches, or greater than 20 inches.

(b) No person shall harvest in or from state waters, or possess while in or on state waters, any African pompano with a fork length less than 24 inches.

(c) No change.

(2) Bag Limits.

(a) Except for persons harvesting pompano or permit pursuant to a valid saltwater products license with a restricted species endorsement, persons harvesting pompano from federal EEZ waters pursuant to Rule 68B-35.005, F.A.C., or persons harvesting pompano as bycatch in a federal gill net fishery for other species pursuant to paragraph 68B-35.004(3)(b)(e), F.A.C., no person shall harvest in or from state waters more than a total of 6 1/4 pompano or permit per day, in any combination of species, nor possess while in or on state waters more than 6 1/4 such fish. ~~No more than one (1) of such fish shall exceed 20 inches length.~~

(b) No change.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-89, Amended 1-1-96, Formerly 46-35.003, Amended 11-1-01, _____.

68B-35.004 Gear Specifications and Prohibited Gear.

(1) through (2) No change.

(3) Except as provided in this subsection, no person shall simultaneously possess aboard any vessel in state waters any pompano together with any gill or entangling net.

(a) Such possession is allowed by persons who have harvested pompano in adjacent federal Exclusive Economic Zone (EEZ) waters and who possess a valid saltwater products license with a restricted species endorsement and a pompano endorsement issued pursuant to subsection 68B-35.005(1), F.A.C., only in the following areas of state waters:

~~1. In the area of state waters between 25°09' North Latitude and 26°00' North Latitude, between Cape Sable and Hurricane Pass.~~

~~2. In specified state waters, upon designation by the Executive Director of the Commission, after a total of at least 1,500 pounds of pompano have been landed on two different observer trips where pompano are caught, by a person taking pompano pursuant to subsection 68B-35.005(2), F.A.C., harvested with a gill or entangling net in federal EEZ waters adjacent to such specified state waters on each trip.~~

~~(b) Such possession is allowed by persons who have harvested pompano in adjacent federal EEZ waters and who possess a valid Pompano Special Activity License issued pursuant to subsection 68B-35.005(2), F.A.C.~~

~~(b)(e) Such possession is allowed by persons who have harvested pompano in adjacent federal EEZ waters as an incidental bycatch in gill or entangling nets fished for other species, which persons possess a valid saltwater products license with a restricted species endorsement and provided that the amount of all pompano aboard such vessel at any time does not exceed the harvest, possession, and landing limit specified in paragraph 68B-35.005(2)(c), F.A.C. +00 individual fish.~~

~~(c)(d) Paragraphs (a) and (b), and (e) shall not apply to any person or vessel returning from federal EEZ waters that stops to fish in state waters or otherwise fails to meet all requirements of Section 370.092, Florida Statutes.~~

(4) Each pompano gill or entangling net possessed in state waters or used in federal EEZ waters pursuant to subsection (3) shall meet the following specifications, except that the mesh size requirement in paragraph (c) shall not apply to the exception in paragraph (3)(b)(e):

(a) Such net shall not be less than 400 yards in length, along the cork line and along the lead line.

(b) Such net shall be at least 70 meshes deep at its shallowest point.

(c) Such net shall have a mesh size of at least 4 1/2 inches stretched mesh, throughout the net.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., Art. X, Sec. 16, Fla. Const., 370.021(3) FS. History—New 7-1-89, Amended 1-1-96, Formerly 46-35.004, Amended 11-1-01, _____.

68B-35.005 Commercial Pompano Harvest Requirements: Pompano Endorsement Criteria; ~~Pompano Special Activity License Criteria;~~ State and Federal Waters Pompano Daily Harvest Limits and License Requirements for Sale or Purchase.

(1) No change.

~~(2) POMPANO SPECIAL ACTIVITY LICENSE (PSAL) The Fish and Wildlife Conservation Commission intends to issue PSALs to qualified commercial fishers to allow them to use gill and entangling nets for an exploratory fishery to harvest pompano in federal Exclusive Economic Zone (EEZ) waters adjacent to state waters, for the sole purpose of establishing that a federal waters fishery exists in specific areas. No person shall be issued a PSAL without first meeting each of the following criteria and conditions:~~

(a) The applicant must possess a Vessel Saltwater Products License with a Restricted Species Endorsement.

(b) The applicant must own a commercially registered vessel no smaller than 22 feet in documented length, except in the case of a vessel with the primary power mounted forward of the center point of the vessel, the vessel shall not be smaller than 25 feet in documented length.

(c) The applicant must have documented landings of pompano of at least 2,000 pounds from state waters or from federal EEZ waters during any continuous 24-month period.

(d) No applicant shall receive a PSAL who, in the previous three license years, has been charged with violating any provision of Article X, Section 16 of the State Constitution, Section 370.092 or 370.093, Florida Statutes, or subsection 68B-4.0081(2), F.A.C., and who has received a judicial disposition other than acquittal or dismissal on such charges.

(e) Any person issued a PSAL must agree to notify the Division of Law Enforcement, by submission of a float plan, at least 24 hours prior to all exploratory fishing trips pursuant to the license. The licenseholder shall submit a trip report, after all exploratory fishing trips using the trip ticket record, to the Division of Marine Fisheries within 72 hours of completion of each trip. The licenseholder must agree to take an FWC observer aboard once she/he has used the PSAL to determine the extent of the fishery. The PSAL will contain a condition requiring notification of FWC's Marine Research Institute at least 48 hours prior to any trip the licenseholder intends to allow placement of an observer on board the vessel. The named licenseholder/vessel owner must always be on board during exploratory fishing trips.

(f) PSALs will be issued at any time during the fishing year and they will be valid for a period of six (6) months. The licenseholder may apply for a single six-month extension of the PSAL. If during that extension, no federal waters gill or entangling net fishery is established pursuant to subparagraph 68B-35.004(3)(a)2., F.A.C., the licenseholder is barred for a period of one year from the expiration of the extension from applying for another PSAL.

(g) The licenseholder must acknowledge that violation of any of the terms or conditions stated in the license may result in the revocation of the license or denial of a requested extension.

~~(2)(3)~~ STATE AND FEDERAL WATERS DAILY COMMERCIAL HARVEST LIMITS – Persons harvesting pompano in state and federal waters pursuant to a saltwater products license with a restricted species endorsement, but who do not possess a pompano endorsement, shall be subject to a daily harvest and landing limit of 250 individual pompano; provided, however, that no more than 250 pompano harvested pursuant to this subsection shall be possessed aboard any vessel at any time. Such persons are subject to the gear limitations of paragraph 68B-35.004(2)(b), F.A.C.

(a) No person shall sell more than 250 individual pompano per day, unless such person possesses either a valid PSAL or a valid Pompano Endorsement, in addition to a saltwater products license with a restricted species endorsement. Pompano shall only be harvested with a gill or entangling net in federal EEZ waters specified in paragraph 68B-35.004(3)(a), F.A.C., and shall only be sold by a person harvesting such pompano pursuant to a Pompano Endorsement.

(b) No wholesale dealer shall purchase more than 250 individual pompano per day from any person who does not possess and present to the dealer either a valid PSAL or a valid Pompano Endorsement, in addition to a saltwater products license with a restricted species endorsement.

(c) Persons harvesting pompano as incidental bycatch pursuant to paragraph 68B-35.004(3)(b), F.A.C., shall be subject to a daily harvest, landing, and possession limit of 100 pompano.

PROPOSED EFFECTIVE DATE: January 1, 2004.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., Art. X, Sec. 16, Fla. Const., 370.021(3) F.S. History—New 11-1-01, Amended _____.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE TITLE: Procedures for Awarding Prizes

RULE NO.: 53ER03-46

SUMMARY OF THE RULE: This emergency rule replaces Emergency Rule 53ER02-61, F.A.C., and sets forth the procedures that the Florida Lottery shall apply to awarding prizes.

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:

53ER03-46 Procedures for Awarding Prizes.

(1) For purposes of this rule, the provisions for claiming a prize as set forth in paragraph 24.115(1)(f), Florida Statutes, will be deemed satisfied upon the claimant meeting the following requirements:

(a) Online Game Prizes.

1. For on-line game prizes, the claimant must submit the winning on-line ticket for validation at a Lottery office or retailer on or before the 180th day after the winning drawing. Winning on-line tickets submitted to the Lottery by mail for

validation must be addressed to the Lottery's prize payment address in an envelope postmarked on or before the 180th day after the winning drawing.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated on-line winning ticket for prize payment at a Lottery office on or before the 210th day after the winning drawing, or submit the validated on-line winning ticket for prize payment to the Lottery's prize payment address in an envelope postmarked on or before the 210th day after the winning drawing.

(b) Instant Game Prizes.

1. For instant game prizes, the claimant must submit the winning instant ticket for validation at a Lottery office or retailer on or before the 60th day after the official end of the game. Winning instant tickets submitted to the Lottery by mail for validation must be addressed to the Lottery's prize payment address in an envelope postmarked on or before the 60th day after the official end of the game.

2. If the claimant is not paid at the time of ticket validation, he or she must submit the validated instant winning ticket for prize payment at a Lottery office on or before the 90th day after the official end of game, or submit the validated instant ticket for prize payment to the Lottery's prize payment address in an envelope postmarked on or before the 90th day after the official end of game.

(2) The Lottery's prize payment address is: Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32399-9939.

(3) Winning tickets submitted to the address of drawing for a game or promotion will not be paid or honored unless selected during the drawing.

(4) If a valid claim is not made for a prize within the applicable time period, or if a claimed ticket is not submitted to the Lottery for prize payment within the applicable time period, the prize shall constitute an unclaimed prize and shall be distributed as required by law. Unclaimed prizes shall not be distributed to other winners within the same prize pool.

(5) In order to be a valid winning lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in the rules of the Florida Lottery governing ticket validation. Winning tickets must pass all applicable validation and verification tests prior to prize payment being made.

(6) A person who mails a winning ticket shall bear the risk that the U.S. Postal Service or other carrier may fail to timely postmark or deliver the ticket to the Lottery, or both.

(7) A person who submits by mail a lottery ticket that entitles the claimant to a prize of a "ticket" or "free ticket" and whose mailing address is inside the state of Florida will be mailed a prize of a ticket as follows:

(a) If the ticket submitted for payment is an instant lottery ticket, the claimant will receive an instant lottery ticket having the same retail sales price as the instant lottery ticket submitted for prize payment. The free ticket may or may not be from the same instant game in which the prize was won.

(b) If the prize is a free on-line game quick pick ticket, the claimant will receive a free on-line game quick pick ticket, from the same on-line game in which the prize was won, for the next drawing after the ticket is validated; or if the free on-line game ticket is part of an on-line game multi-play ticket, the claimant will receive prize payment in accordance with the provisions of subsection (13) below.

(8) A person who submits by mail a lottery ticket that entitles the claimant to a prize of a "ticket" or "free ticket" and whose mailing address is outside the state of Florida will receive a check in the amount of the retail sales price of the ticket in lieu of an actual ticket.

(9) A claimant who claims a prize on a winning advance play lottery ticket before all the drawings on the ticket have occurred will be issued a continuation ticket for the remaining drawings with the same play numbers as the original ticket. The original ticket will be recorded as "paid" in the gaming system and a continuation ticket will automatically be issued for the claimant which shall be the instrument from which claims on remaining drawings are paid.

(10) If a claimant whose mailing address is outside the state of Florida submits by mail an advance play lottery ticket that has drawings remaining that have not yet occurred, the Lottery will hold the claimant's advance play ticket until all the drawings have occurred. The Lottery will then validate the advance play ticket and mail the claimant one check for the total amount of any prizes won. If an out-of-state claimant requests prize payment prior to the date of the last advance play drawing, the Lottery will validate the ticket, mail the claimant a check for the total amount of any prizes won as of the date of ticket validation, and issue and maintain possession of a continuation ticket for the remaining drawings.

(11) Winning Tickets Less than \$600. Payment of any winning ticket of less than \$600 that is submitted to a Lottery retailer, Lottery district office or Lottery Headquarters shall be made to the claimant upon successful ticket validation. Upon request by the Lottery, the claimant shall file a Winner Claim Form in accordance with the provisions set forth in paragraph (12)(c) below.

(a) Winning tickets of \$50 or less that are submitted to a retailer shall be paid in cash by the retailer unless:

1. It is impossible or impracticable to do so due to a company or store policy which, for safety or security reasons, limits the amount of cash available to the clerk; or

2. It is impossible or impracticable to do so due to an applicable local government ordinance that limits the amount of cash available to the clerk.

(b) Winning tickets with a value greater than \$50 but less than \$600 that are submitted to a retailer shall be paid by cash, check, or money order.

(c) No charge or fee shall be imposed by a retailer on a player for paying a winning ticket. This prohibition includes charging a fee for a money order issued to the player in payment of a prize when that is the only method of prize payment made available by the retailer.

(d) Winning tickets of \$100 or less that are presented to a Lottery district office will be paid by cash, check or issued lottery tickets at the claimant's option.

(e) Winning tickets with a value greater than \$100 but less than \$600 that are submitted to a Lottery district office shall be paid by check, issued lottery tickets, or paid a maximum of \$100 in cash and the balance of the prize in issued lottery tickets at the claimant's option.

(f) Lottery district offices will not pay prizes less than \$600 by a combination of cash and check.

(g) Winning tickets of less than \$600 that are submitted to Lottery Headquarters for payment shall be paid by check.

(h) A player who submits a winning ticket of less than \$600 in person to a Lottery district office or Lottery Headquarters for payment by check shall be required to present one form of identification from the list in subsection (18). The identification is required to ensure proper check distribution.

(i) Winning tickets of less than \$600 shall be subject to and paid in accordance with subsections (14), (15), (16), and (17) below.

(12) Winning Tickets Valued at \$600 or Greater.

(a) Payment of winning tickets valued at \$600 or greater shall be made only by a Lottery office. Payment of winning tickets valued at \$600 or greater cannot be made by a retailer.

(b) A player may submit a winning ticket valued at \$600 or greater to any Lottery retailer or Lottery office for ticket validation. If a winning ticket valued at \$600 or greater is validated at a retailer location, the player shall retain the original ticket and any claim ticket(s) or player claim instructions ticket produced by the retailer terminal to submit with his or her claim to a Lottery office for prize payment processing. If the winning ticket produces a continuation ticket for future drawings, the player shall also retain the continuation ticket in addition to the original ticket and player claim instructions ticket.

(c) After successful validation of a winning ticket, the player shall file a claim by submitting to the Lottery a completed Winner Claim Form DOL 173-2, revised 2/01, or Spanish Winner Claim Form DOL 173-S, revised 2/01, along with the ticket(s) as set forth in subsection (14) and the identification described in subsection (18) below. The Winner Claim Forms are incorporated herein by reference and may be obtained at any Lottery office or retailer, from the Florida Lottery's website at www.flalottery.com, or by writing the Florida Lottery, Public Information, 250 Marriott Drive,

Tallahassee, Florida 32399-4016. Claims may be submitted in person to any Lottery district office or to Lottery Headquarters, or submitted by mail to Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32399-9939. The player should retain a copy of the completed Winner Claim Form and the player claim instructions ticket.

(d) Winning tickets valued at \$600 through \$250,000 that are submitted to a Lottery district office shall be paid by check and in accordance with subsections (14), (15), (16), and (17) below. Winning tickets valued at greater than \$250,000 that are submitted to a Lottery district office require the approval of Lottery Headquarters for payment.

(e) Winning tickets valued at \$600 or more that are submitted to Lottery Headquarters shall be paid as follows and in accordance with subsections (14), (15), (16), and (17) below:

1. If the prize value is \$600 through \$250,000, payment shall be made by check.

2. If the prize value is greater than \$250,000 or is a prize for which there is a lump-sum option, payment shall be made by check or wire transfer at the claimant's option.

(13) Payment of On-line Game Multi-play Tickets Including a Cash Prize and a Free Quick Pick Ticket Prize. Additional payment provisions applicable only to winning on-line game multi-play tickets (tickets with more than one panel played for a single draw date) that include a cash prize and a prize of a free quick pick ticket are as follows:

(a) A \$1.00 value for each free quick pick ticket on a multi-play ticket shall be included in the total prize value of the ticket.

(b) On-line game multi-play tickets with a total prize value less than \$600 shall be paid by Lottery retailers or a Lottery office upon successful ticket validation. The claimant shall be paid the cash amount of the prize and given a free quick pick ticket for the same on-line game in which the prize was won, for the next available drawing for each free quick pick ticket prize.

(c) On-line game multi-play tickets with a total prize value of \$600 or more shall be claimed at a Lottery office. Retailer locations cannot print free quick pick tickets that are part of a claim with a total value of \$600 or more.

1. If the claim is submitted to a Lottery office in person and the on-line game multi-play ticket is successfully validated, the Lottery will pay the claimant the cash prize and give the claimant one free quick pick ticket, for the same on-line game in which the prize was won, for the next available drawing for each free quick pick ticket prize.

2. If the claim is submitted by mail to a Lottery office and the on-line game multi-play ticket is successfully validated, the Lottery will pay the cash prize and, if the claimant's address is in Florida, print one free quick pick ticket for the next available drawing of the same on-line game in which the prize was won for each free quick pick ticket prize. The payment and the free

ticket(s) shall be mailed to the claimant by the Lottery, except as set forth in paragraph (8) above. A free ticket shall be mailed prior to the drawing applicable to that ticket.

3. If the claimant is identified as owing an outstanding debt as set forth in paragraph (17)(i), in an amount less than the cash portion of the prize net of any federal income tax withholding, the non-cash portion of the prize (free ticket(s)) and the amount owed to the claimant after his or her debt is satisfied and taxes have been withheld shall be awarded. If the claimant is identified as owing an outstanding debt in an amount greater than the cash portion of the prize net of any federal income tax withholding, the cash portion of the prize remaining after taxes have been withheld will be applied toward the outstanding debt as provided in subsection 24.115(4), Florida Statutes, and the claimant will receive the remaining non-cash portion of the prize (free ticket(s)).

(14) Ticket Submission and Payment. In accordance with the applicable provisions of subsections (11), (12), and (13), a claimant must submit an original winning ticket or an original continuation ticket, if issued, to the Lottery or to a retailer to claim a prize. In the event an original winning ticket or an original continuation ticket is not available for submission, a claimant must submit an original player claim instructions ticket produced from validation of an original winning ticket or original continuation ticket to the Lottery to claim a prize.

(a) If a claimant submits an original winning ticket or an original continuation ticket and an original player claim instructions ticket produced from an original winning ticket or from an original continuation ticket, payment will be made in accordance with subsections (15), (16), and (17) below.

(b) If a claimant submits only an original winning ticket or an original continuation ticket, the ticket will be validated and payment will be made in accordance with subsections (15), (16), and (17) below.

(c) If a claimant submits only an original player claim instructions ticket, the player claim instructions ticket will be validated and payment will be made in accordance with subsections (15), (16), and (17) and as follows:

1. For on-line prizes, if the absence of the original ticket is determined to the Lottery's satisfaction to be attributable to actions of a retailer, payment will be made following expiration of 30 days after the date the player claim instructions ticket is submitted for prize payment, or following expiration of 210 days after the winning draw date, whichever date occurs sooner.

2. For instant prizes, if the absence of the original ticket is determined to the Lottery's satisfaction to be attributable to actions of a retailer, payment will be made following expiration of 30 days after the date the player claim instructions ticket is submitted for prize payment, or following expiration of 90 days after the official end of the game, whichever date occurs sooner.

3. If the absence of an original ticket is attributable to any reason other than the actions of a retailer, payment will be made as follows:

a. For winning on-line tickets, payment will be made following expiration of 210 days after the winning draw date, provided that payment for the original winning ticket is not made before the expiration of 210 days.

b. For winning instant tickets, payment for prizes valued at \$600 through \$1,000 will be made following expiration of 180 days from the date the claim was filed or following expiration of 90 days after the official end of the game, whichever occurs sooner, provided that payment for the original winning ticket is not made before expiration of the 180-day or 90-day time period, whichever is applicable. Payment for prizes greater than \$1,000 will be made following expiration of 90 days after the official end of the game, provided payment for the original winning ticket is not made before expiration of the 90-day time period.

4. If the original winning ticket or original continuation ticket is submitted prior to expiration of the time periods set forth in subparagraphs (14)(c)1., 2. and 3., an investigation will be conducted to determine to whom payment should be made, if anyone.

(d) If a claimant submits only an original advance play winning ticket that has been recorded as "paid" in the Lottery's gaming system as the result of the issuance of a continuation ticket, an investigation will be conducted and payment will be made as follows:

1. If the investigation concludes to the Lottery's satisfaction that the absence of the continuation ticket is attributable to actions of a retailer, payment will be made following expiration of 30 days after the date the original winning ticket is submitted for prize payment, or following expiration of 210 days after the winning draw date, whichever date occurs sooner, provided that payment for the continuation ticket is not made prior to the expiration time frames set forth above.

2. If the investigation concludes to the Lottery's satisfaction that the absence of the continuation ticket is attributable to any reason other than the actions of a retailer, payment will be made following expiration of 210 days after the winning draw date, provided that payment for the continuation ticket is not made before the expiration of 210 days.

(e) In the event a claim for payment is made without an original ticket, an original continuation ticket, or a player claim instructions ticket, the claim will be denied unless the following occurs:

1. The claimant establishes to the Lottery's satisfaction that the absence of the original ticket, the original continuation ticket, or the player claim instructions ticket is attributable to an act or omission of the Lottery. Acts or omissions of Lottery retailers shall not be considered attributable to the Lottery; and

2. The Lottery determines that the available evidence is sufficient to validate the claim. If the Lottery determines that the provisions set forth in subparagraphs 1. and 2., above, are sufficiently met, payment will be made to the claimant following the expiration of the applicable deadline set forth in subsection (1) for validating and submitting a winning ticket for prize payment.

(15) Taxes. Federal withholding taxes shall be applied to prizes in accordance with the Internal Revenue Code and Code of Federal Regulations.

(16) Regardless of how many persons or entities claim an ownership interest in a winning ticket, payment will be made to only one person or entity.

(17) The person to whom payment will be made for winning tickets submitted to the Lottery shall be determined as follows:

(a) If only one name appears on the back of the ticket, payment will be made to that person or entity.

(b) If the back of a ticket is blank or incomplete, data from the Winner Claim Form, if any, player correspondence, or the mailing envelope, in that order, shall be used to supplement the information.

(c) Instant tickets. If more than one name appears on the back of an instant ticket, payment shall be made to the person whose name appears first on the line designated for the name.

(d) On-line tickets.

1. If one player information section is completely filled out, payment shall be made to the person whose name appears first on the name line in the player information section that is completed.

2. If more than one player information section is completely filled out, payment shall be made to the person whose name appears first on the name line in the player information section nearest the top of the ticket.

3. If no player information section is completely filled out and more than one name appears on the back of the ticket, payment shall be made to the person whose name appears first on the name line in the player information section nearest the top of the ticket in which a name is present.

(e) If the name on the back of a ticket is that of a trust, corporation or other legal entity, payment shall be made to the trust, corporation or other legal entity. For those tickets valued at \$600 or more, no payment shall be made to a legal entity until the Lottery has received a copy of the entity's organizational documents which set forth the names and Social Security numbers of all shareholders, partners, beneficiaries, or other persons ultimately entitled to receive Lottery winnings.

(f) If the back of a ticket valued at \$600 or more is altered, defaced, or contains erasures, correction fluid, overwriting, or obliteration in the line designated for a name, an investigation will be conducted to determine to whom payment should be

made, if anyone, in accordance with paragraphs (17)(c), (d) and (e) above. If the ticket is valued at less than \$600, payment will be made to the person submitting the ticket for payment.

(g) If the Lottery is presented with undisputed information that payment of a prize as provided in paragraphs (17)(a) through (e) would result in payment to a person or entity who has no claim to the ticket, the Lottery will make payment to the person or entity it determines to be the rightful claimant based upon the undisputed information submitted to the Lottery.

(h) If the Lottery receives notification of a dispute of ownership of a specific ticket prior to prize payment, an investigation will be conducted to determine to whom payment should be made, if anyone.

(i) Any claimant of a prize of \$600 or more, and any person whose name appears on an Internal Revenue Service (IRS) Form 5754 filed by a claimant and whose portion of the prize is \$600 or more, will be compared to the State Owed Debt system. All persons ultimately entitled to receive Florida Lottery winnings from a claim valued at \$600 or more filed by a legal entity, other than a corporation whose shares are publicly traded, will be compared to the State Owed Debt system. If such claimant or other person is identified as owing an outstanding debt to a state agency or owing child support collected through a court or spousal support or alimony as provided in subsection 24.115(4), Florida Statutes, following deduction of federal tax withholding, the remaining prize amount will be allocated as follows:

1. If the debt is owed by the claimant and an IRS Form 5754 is not filed at the time the claim is submitted, an amount sufficient to cover the amount owed, up to the total remaining prize amount, will be transferred to the state agency owed the debt. Any monies remaining after federal tax withholding and after collection of the debt will be paid to the claimant.

2. If the debt is of a claimant who submits an IRS Form 5754 at the time of filing the claim, or of a person whose name appears on an IRS Form 5754 or who is entitled to receive Lottery winnings claimed by a legal entity, an amount sufficient to cover the claimant's or other person's debt, but not to exceed his or her percentage interest in the prize or entity, will be transferred to the state agency owed the debt. The monies remaining will be paid to the claimant on the ticket.

(18) Presentation of Identification.

(a) The claimant of a prize valued at \$600 or more will be required to present identification as detailed below. The name on the identification presented to the Lottery must match the name on the back of the winning ticket, unless the name on the back of the winning ticket is that of a legal entity. In such case, an authorized agent of that legal entity will be required to present identification as detailed below. If the name on the back of the ticket and the identification presented do not match, the Lottery may request another form of identification listed below or request additional information to use in making its payment determination.

(b) The following identification is required for prizes valued at \$600 or more: one form of photo identification that is current or was issued within the past five years and bears a serial or other identifying number and a signature, or if photo identification is not presented, two forms of identification that are current or were issued within the past 5 years and bear a serial or other identifying number and a signature.

(c) Acceptable forms of identification include the following:

1. A Florida identification card or driver's license issued by the public agency authorized to issue driver's licenses;

2. A passport issued by the Department of State of the United States;

3. A passport issued by a foreign government if the document is stamped by the United States Immigration and Naturalization Service;

4. A driver's license or an identification card issued by a public agency authorized to issue driver's licenses in a state other than Florida, a territory of the United States, or Canada or Mexico;

5. An identification card issued by any branch of the armed forces of the United States;

6. An identification card issued by the United States Immigration and Naturalization Service; or

7. Another form of identification approved by the Lottery.

(d) A photocopy of required identification shall accompany claims valued at \$600 or greater that are submitted by mail. The Lottery reserves the right to require proof of authenticity for such photocopies.

(19) Players shall be instructed by a retailer or the Lottery to file a claim when any dispute arises regarding the amount or validity of an apparent winning ticket or when an apparent winning ticket will not validate using the terminal.

(20) No payment shall be made upon a ticket submitted for payment that is reflected in the Lottery's records as having been canceled.

(21) The Lottery reserves the right to require the claimant of any winning ticket to disclose the source of the ticket.

(22) The Lottery's decision and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes shall be final and binding upon all participants in the lottery unless otherwise provided by law or these rules. In the event a question arises relative to a winning ticket, or the payment or awarding of any prize, the Lottery is authorized to:

(a) Deposit the prize winnings into an escrow fund until the dispute is resolved; or

(b) Petition a court of competent jurisdiction for instructions and a resolution of the controversy.

(23) Information for claiming a prize can be obtained by writing the Florida Lottery, Public Information, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or by calling (850)487-7777.

(24) Payment of winning tickets is subject to all other applicable statutes and rules.

(25) This emergency rule replaces Emergency Rule 53ER02-61, Florida Administrative Code.

Specific Authority 24.105(9)(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(e), 24.115(1), 24.115(4) FS. History--New 9-5-03, Replaces 53ER02-61, F.A.C.

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

EFFECTIVE DATE: September 5, 2003

DEPARTMENT OF THE LOTTERY

RULE TITLE: Exception to the Procedures for Awarding Prizes
 RULE NO.: 53ER03-47
 SUMMARY OF THE RULE: This emergency rule sets forth an exception to the Florida Lottery's procedures for awarding prizes.

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:

53ER03-47 Exception to the Procedures for Awarding Prizes.

(1) This rule sets forth an exception to Emergency Rule 53ER03-46, *Procedures for Awarding Prizes*, Florida Administrative Code.

(2) Effective September 8, 2003, the Pensacola and Fort Myers Lottery district offices will not validate or pay prizes on winning lottery tickets or accept claims. In lieu of submitting winning tickets for prize payment to the Pensacola and Fort Myers district offices, a claimant should submit winning ticket(s) for validation and payment in accordance with the procedures set forth in paragraphs (3)(a) and (b) below.

(3) A claimant who presents his or her winning lottery ticket for prize payment in person on or after September 8, 2003, at the Pensacola or Fort Myers Lottery district office will be directed to obtain prize payment as follows:

(a) If the ticket is valued at less than \$600, the claimant should present the ticket to a Lottery retailer, or present in person or mail the ticket to Lottery Headquarters as described in paragraph (3)(b) below.

(b) If the ticket is valued at \$600 or more, the claimant should either present in person the ticket at Lottery Headquarters or mail the original ticket along with a completed Winner Claim Form DOL 173-2, revised 2/01, or Spanish

Winner Claim Form DOL 173-S, revised 2/01 to the Florida Lottery, Winner Validation, 250 Marriott Drive, Tallahassee, Florida 32399-9939 in accordance with the instructions on the form. The forms are incorporated herein by reference and may be obtained from any Lottery retailer, Lottery office, or from the Lottery's website at www.flalottery.com.

(4) Winning lottery tickets that are received by mail on or after September 8, 2003, at the Pensacola or Fort Myers Lottery district offices will be forwarded to Lottery Headquarters for validation and prize payment. Risk of loss for such tickets by the U.S. Postal Service or other carrier rests with the player.

(5) A person who mails a winning ticket shall bear the risk that the U.S. Postal Service or other carrier may fail to timely postmark or deliver the ticket to the Lottery, or both.

(6) All Lottery district offices other than Pensacola and Fort Myers will continue validating and paying winning lottery tickets in accordance with Emergency Rule 53ER03-46, Florida Administrative Code.

Specific Authority 24.105(9)(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(e), 24.115(1) FS. History—New 9-5-03.

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

EFFECTIVE DATE: September 5, 2003

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

The Commission for Independent Education hereby gives notice that it has received a petition filed on September 10, 2003, on behalf of University of Sint Eustatius Medical School. The petition is seeking a waiver or variance of Rule 6E-2.0042, F.A.C., specifically requesting that the institution not be required to be accredited as a foreign medical school and the application for initial licensure of a clinical clerkship program no longer be subject to review by the expert medical school review committee.

Comments on this petition should be filed with Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301, within 14 days of publication of this notice.

For a copy of the petition, contact: Samuel L. Ferguson, Executive Director, at above address or telephone (850)245-3200.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Petition for Waiver received on July 25, 2003 from Thomas G. Pelham, Attorney for Petitioner, Village of Wellington has been voluntarily dismissed. Notice of receipt of this petition, which was assigned the number DCA03-WAI-218, appeared in the August 15, 2003 edition of the Florida Administrative Weekly. The waiver was requested pursuant to the provisions of Section 120.542, Fla. Stat., and Chapter 28-104, Fla. Admin Code.

A copy of the Voluntary Dismissal 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."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that TL Fontainebleau Tower Limited Partnership, A Florida Limited Partnership, d/b/a Fontainebleau II's petition for waiver of paragraph 25-6.049(5)(a), Florida Administrative Code, filed on June 19, 2003, in Docket No. 030557-EU was approved by the Commission at its August 19, 2003, Agenda Conference. Order No. PSC-03-0999-PAA-EU, issued September 5, 2003, memorialized the decision.

The rule provides that individual electric metering by the utility company shall be required for each separate occupancy unit of new condominiums for which construction commenced after January 1, 1981. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship.

Notice of the petition was published in the FAW on July 11, 2003. A copy of the Order can be obtained from either the Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Progress Energy Florida, filed August 27, 2003, in Docket No. 030866-EQ, seeking waiver from subparagraph 25-17.0832(4)(e)5., Florida Administrative Code. Subparagraph 25-17.0832(4)(e)5., Florida Administrative Code, requires a standard offer contract's open solicitation period to terminate prior to its issuance of a notice of Request for Proposals based on the standard offer contract's avoided unit.

Comments on the petition should be filed with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of the Commission Clerk and Administrative Services.

For additional information, please contact Adrienne Vining, Office of the General Counsel, at the above address or telephone (850)413-6199.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on September 5, 2003, South Florida Water Management District (District) received a petition for waiver from Jeffrey C. Saylor, Application No. 03-0905-1, for utilization of Works or Lands of the District known as the C-51 Canal, Palm Beach County, for the proposed construction of a boat dock with lift within the south right of way of the C-51 Canal at the rear of 2613 Amherst Lane, Lake Worth, FL 33460, Palm Beach County, Section 15, Township 44 South, Range 43 East.

The petition seeks relief from paragraphs 40E-6.221(1),(2)(a)(j), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within the District's 100' long designated equipment staging areas located at all bridges and pile-supported utility crossings within Works or Lands of the District.

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

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

NOTICE IS HEREBY GIVEN that on September 5, 2003, South Florida Water Management District (District) received a petition for waiver from the Florida Department of Transportation, Application No. 03-0905-5, for utilization of Works or Lands of the District known as the C-6 Canal, Miami-Dade County for proposed roadway improvements to existing S.R. 25 (Okeechobee Road) consisting of roadway

widening, construction of a bulkhead (barrier) wall along the northern edge of C-6 and installation of associated drainage culverts, beginning just east of the Palmetto Expressway (S.R. 826) to just west of the Hialeah Expressway (S.R. 934), Miami-Dade County, Section 11, Township 53 South, Range 40 East.

The petition seeks relief from subsections 40E-6.011(4),(5) and (6), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District.

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

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

NOTICE IS HEREBY GIVEN that on August 28, 2003, South Florida Water Management District (District) received a petition for waiver from Linda M. Harste and Guy W. Harste, Application No. 02-1119-1, for utilization of Works or Lands of the District known as the C-14 Canal in Broward County. The applicant requests authorization to allow existing landscaping to remain within the north right of way of C-14 at the rear of 6558 N. W. 1st Street, Section 36, Township 48 South, Range 41 East.

The petition seeks relief from paragraphs 40E-6.011(4),(6), Fla. Admin. Code, which governs the placement of permanent/semi-permanent above-ground encroachments within 40 feet of the top of canal bank within Works and Lands of the District.

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

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

NOTICE IS HEREBY GIVEN that on September 2, 2003, South Florida Water Management District (District) received a petition for waiver from Kendall Imports, LLC, Application No. 02-0919-1, Permit (MOD) No. 11815 for utilization of Works or Lands of the District known as the C-100A Canal, Miami-Dade County for proposed catch basins, curb and gutter, guardrail, and access gate within the south right of way of C-100A, Village of Pinecrest, Miami-Dade County, Section 10, Township 55 South, Range 40 East.

The petition seeks relief from paragraphs 40E-6.011(4),(6), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District, and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of stormwater treatment facilities 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@sfwmd.gov.

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

NOTICE IS HEREBY GIVEN that on September 5, 2003, South Florida Water Management District (District) received a petition for waiver from Clay Cameron, President of Toll FL Limited, Inc., Application No. 03-0905-6M, for utilization of Works or Lands of the District known as the C-23 Canal, Martin County to utilize the existing docking facilities within the east right of way of C-23 adjacent to the Palm Cove subdivision as a commercial marina facility. Martin County, Sections 1 and 6, Township 38 South, Range 41 East.

The petition seeks relief from subsections 40E-6.011(4),(6) and 40E-6.221(2)(j) and (8), Fla. Admin. Code, which governs activities involving a commercial operation 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@sfwmd.gov.

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

NOTICE IS HEREBY GIVEN that on September 8, 2003, South Florida Water Management District (District) received a petition for waiver from the Florida Department of Transportation, Application No. 03-0908-1, for utilization of Works or Lands of the District known as the North New River Canal, Broward County for the installation of four light poles at State Road 817 (University Drive) bridge within the north and south rights of way of the North New River Canal. Broward County, Section 16, Township 50 South, Range 41 East.

The petition seeks relief from subsections 40E-6.011(4),(6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal

bank and within the District's designated 100 foot long staging areas at all bridges and pile-supported utility crossings 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@sfwmd.gov.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN by the Florida Department of Business and Professional Regulation that Elliot P. Whitney's petition for variance from Rules 61-6.002 and 61-6.004, Florida Administrative Code, filed May 22, 2003, in Case No. VW 2003-043 was denied by the Department in a Notice of Intent to Deny Petition for Variance, filed September 2, 2003.

The rules for which variance was requested provide that any license renewal application that for any reason is not submitted in a timely and complete manner shall revert to delinquent status and that the license of a delinquent licensee that does not achieve active or inactive status before the end of the current biennial period shall be null. Rule 61-6.002, Florida Administrative Code, is a restatement of Section 455.271(5), Florida Statutes, which provides that failure of a licensee to renew a license before it expires shall cause the license to expire. Rule 61-6.006, Florida Administrative Code, is a restatement of Section 455.271(6), Florida Statutes, which provides that failure of a delinquent status licensee to become active or inactive before the expiration of the current licensure cycle renders the license null. Thus, the petition for variance constitutes a request for variance from sections 455.271(5) and (6), Florida Statutes. It was denied on the basis that section 120.542, Florida Statutes, does not authorize the Department to grant variances to statutes.

A copy of the Notice can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that it has received a petition filed on September 5, 2003, by John M. Taylor, representing Taylor Elevator Corp., seeking a waiver from Rule 111.8a(3) of ASME A17.1, with regard to the requirements for the maximum height of a keyway access.

Comments on this petition should be filed with Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, within 14 days of publication of this notice.

For a copy of the petition, contact: Mark J. Boutin, Management Review Specialist, Bureau of Elevator Safety, at above address or (850)921-2468

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on September 9, 2003, the Board of Opticianry received a Petition for Variance or Waiver from subsection 64B12-9.016(1), Florida Administrative Code, from Charles T. Anzalone. The Petition relates to Petitioner's failure to apply for licensure during the past 6 years. The Petition does not appear to meet the minimum requirements set forth in Rule 28-104.002, Florida Administrative Code, and may be dismissed for this reason.

Comments on this Petition should be filed with: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258.

For a copy of the petition or information regarding hearing date and location where petition will be considered, contact: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN that on August 27, 2003, the Department of Health received a petition from Sam Carter, representing Orenco Systems, Inc., requesting a variance pursuant to Section 120.542, Florida Statutes. Specifically, the petitioner seeks a variance from paragraphs 64E-6.013(1)(e) and (g), Florida Administrative Code, which requires treatment tank designs to be verified in accordance with department policy by specific vacuum and water tightness tests and tank lids to be designed to withstand burial under the ground.

Comments on this petition should be filed with: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1734.

A copy of the petition may be obtained from: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1734.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on September 9, 2003, Florida Housing Finance Corporation received a Petition for Waiver of subsection 67-21.002(97), F.A.C., from Kings Palm Beach Realty, LLC, requesting a waiver of the maximum development size permitted.

A copy of the Petition can be obtained from: Sherry Green, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN that on August 26, 2003, the Florida Fish and Wildlife Conservation Commission issued an order granting a temporary variance, with conditions, from a portion of the Palm Beach County manatee protection rule (68C-22.009, Florida Administrative Code) to the Boca Raton Resort and Club ("BRRC").

The original petition was filed with the Commission on January 10, 2003, and a notice of petition was published in the Florida Administrative Weekly (FAW) on February 7, 2003. The variance authorizes one motorboat at a time to be operated above regulated speeds, with speeds not to exceed 50 mph, while involved in activities associated with the 2003 Honda Marine Dealers Meeting, which the BRRC is hosting. The variance applies from September 25 through October 7, 2003. A variance was granted because the Commission determined that a substantial hardship exists and because the purposes of §370.12(2), F.S., would be achieved by other means, specifically through the implementation of a Commission-approved manatee watch program and by the setting of other conditions and limitations on the activities.

Copies of the order may be obtained by contacting: Commission's Bureau of Protected Species Management, 620 South Meridian Street, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN that on July 1, 2003, the Florida Fish and Wildlife Conservation Commission issued an order granting a temporary variance, with conditions, from portions of the Brevard County manatee protection Rule 68C-22.006, Florida Administrative Code, to the Florida Institute of Technology ("Florida Tech").

The petition was filed with the Commission on February 10, 2003, and a notice of petition was published in the Florida Administrative Weekly (FAW) on February 28, 2003. The variance authorizes Florida Tech to operate motorboats above regulated speeds while accompanying rowing teams during practices and occasional regattas. The variance applies through July 2, 2008. A variance was granted because the Commission determined that a substantial hardship exists and because the purposes of §370.12(2), F.S., would be achieved by other means, specifically through the setting of conditions and limitations on the activities.

Copies of the order may be obtained by contacting: Commission's Bureau of Protected Species Management, 620 South Meridian Street, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN that on July 29, 2003, the Florida Fish and Wildlife Conservation Commission issued an order granting a temporary variance, with conditions, from a portion of the Sarasota County manatee protection Rule 68C-22.026, Florida Administrative Code, to the Sarasota Ski-A-Rees, Inc. ("Ski-A-Rees"). The petition was filed with the Commission on April 30, 2003, and a notice of petition was published in the Florida Administrative Weekly (FAW) on May 23, 2003. The variance authorizes Ski-A-Rees to operate motorboats above regulated speeds while engaged in show-ski operations and training. The variance applies through December 31, 2007. A variance was granted because the Commission determined that a substantial hardship exists and because the purposes of §370.12(2), F.S., would be achieved by other means, specifically through the setting of conditions and limitations on the activities.

Copies of the order may be obtained by contacting the Commission's Bureau of Protected Species Management, 620 South Meridian Street, Tallahassee, Florida 32399.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Historical Resources**, Bureau of Historic Preservation announces a public meeting to which all persons are invited:

FOLKLIFE APPRENTICESHIP ADVISORY COMMITTEE MEETING

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

PLACE: Historical Museum of Southern Florida, 101 W. Flagler Street, Miami, FL 33130

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for the 2003-2004 Florida Folklife Apprenticeship Program.

A copy of the agenda may be accessed by contacting: Tina Bucuvalas, Florida Folklife Program, Bureau of Historic Preservation, 500 S. Bronough St., Tallahassee, FL 32399-0250, (850)245-6333 or email: tbucuvalas@dos.state.fl.us.

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

Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division by the 24th day of September, 2003, if you need an accommodation. Please contact: Tina Bucuvalas, (850)245-6333 or email: tbucuvalas@dos.state.fl.us.

DEPARTMENT OF LEGAL AFFAIRS

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

DATE AND TIME: Wednesday, October 1, 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 **Citrus Budwood Technical Advisory Committee** announces a public meeting to which all persons are invited:

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

PLACE: Bureau of Citrus Budwood Registration, Shaw Building Training Room, 3027 Lake Alfred Road, Winter Haven, Florida 33880

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the following agenda items: 1. Review of Citrus Budwood Registration Program; 2. Review of Citrus Budwood Introduction Program.

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by September 26, 2003.

A copy of the agenda may be obtained by writing: Mr. Michael Kesinger, Chief, Bureau of Citrus Budwood Registration, Division of Plant Industry, 3027 Lake Alfred Road, Winter Haven, Florida 33881, (863)298-7712.

The **Forestry Arson Alert Association**, Inc. announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, October 9, 2003, 1:00 p.m.

PLACE: Florida Farm Bureau Federation Office, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda items: 1) Arson rewards; 2) Budget; 3) Prevention Items; 4) Elections; 5) New Business.

A copy of the agenda may be obtained by writing: Mr. L. Earl Peterson, Division of Forestry, 3125 Conner Blvd, Tallahassee, Florida 32399-1650, (850)488-6111.

The Florida **Department of Agriculture and Consumer Services** announces a meeting to which all persons are invited: DATE AND TIME: Wednesday, October 15, 2003, 10:30 a.m. PLACE: 177 S. Flagler Drive, Suite 300, East, West Palm Beach, Florida 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Motor Vehicle Advisory Council will be meeting to discuss consumer-related issues and proposed legislation for the 2004 Florida session addressing issues of interest to consumers.

A copy of the agenda may be obtained by contacting: Mr. James R. Kelly, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

The Florida **Department of Agriculture and Consumer Services** announces a meeting to which all persons are invited: DATE AND TIME: Thursday, October 16, 2003, 10:30 a.m. PLACE: 1800 Corporate Blvd., N. W., Boca Raton, Florida 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Consumers' Council will be meeting to discuss consumer-related issues and proposed legislation for the 2004 Florida session addressing issues of interest to consumers.

A copy of the agenda may be obtained by contacting: Mr. James R. Kelly, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

The Florida **Food Safety and Food Security Advisory Council**, announces a meeting, and invites all members of the Council or their designees to attend.

DATE AND TIME: Friday, October 24, 2003, 1:00 p.m. – 3:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include agency updates, a presentation on risk-based inspections, and priority/goals for the coming year.

CONTACT: For additional information contact: Dr. Marion Fuller, Director, Division of Food Safety, Florida Dept of Agriculture and Consumer Services, (850)488-0295, Fax (850)488-7946, email: fullerm@doacs.state.fl.us.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: Tuesday, September 30, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Valencia Community College, Building 6, Room 202, 1800 S. Kirkman Rd., Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second convening of the Council charged with making recommendations relating to educational facilities in the K-20 education system in Florida. Sub-committees will meet to review and evaluate facilities planning and budgeting processes; needs for existing and proposed facilities; forming alliances with non-public educational institutions and/or community organizations; alternatives to minimize construction of additional facilities; available sources to meet funding requirements; methods of distribution of funds; and alternatives to minimize funding needs.

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

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

The public is invited to a meeting of the **Florida Education Foundation**.

DATE AND TIME: October 13, 2003, 5:00 p.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Room 1244, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Future direction of the foundation, possible changes to the bylaws and other general business.

For additional information, please contact: Nikki Jerger, Florida Department of Education, 325 West Gaines Street, Room 1544, Tallahassee, Florida 32399-0400, (850)245-0412.

The Florida **Art In State Buildings Program** (FAMU) announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: Tuesday, September 23, 2003, 10:00 a.m.

PLACE: Florida A & M University, Ware-Rhoney Building, Dean's Conference Room, Tallahassee, Florida 32307, (850)599-3819

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review meeting to review entries and select artists as finalists for the referenced project.

For more information, or to obtain a copy of the agenda, please contact: Kenneth Falana, User Agency Representative, Art In State Buildings Program, Florida A & M University, Tallahassee, Florida 32307, (850)561-2842.

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 Art In State Buildings Program.

Pursuant to the provisions of the Americans with Disabilities, 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: Kenneth Falana, (850)561-2842. If you are hearing or speech impaired, please contact the agency by calling TT (850)488-5779.

DEPARTMENT OF COMMUNITY AFFAIRS

The **State Emergency Response Commission (SERC)** for Hazardous Materials announces a meeting of the Training Task Force to which all persons are invited.

DATE AND TIME: October 2, 2003, 10:00 a.m.

PLACE: Department of Environmental Protection, 3800 Commonwealth Boulevard, Marjorie and Archie Carr Building, Room 170M, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the ongoing work of the District Response Teams Subcommittee to the Training Task Force and other hazardous materials training issues.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Education and Training Section, (850)413-9899, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Education and Training Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

Additional information may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or (850)413-9899.

The **State Emergency Response Commission for Hazardous Materials** announces a meeting of all Local Emergency Planning Committee chairpersons and staff contacts to which all persons are invited.

DATE AND TIME: October 2, 2003, 1:30 p.m.

PLACE: Department of Environmental Protection, 3800 Commonwealth Boulevard, Marjorie and Archie Carr Building, Room 170M, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committees in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or (850)413-9970.

The **State Emergency Response Commission for Hazardous Materials** announces a meeting to which all persons are invited.

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

PLACE: Department of Environmental Protection, 3800 Commonwealth Boulevard, Marjorie and Archie Carr Building, Room 170M, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section, (850)410-1271, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

A copy of the agenda may be obtained by writing: Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or (850)413-9970.

The **Florida Communities Trust** announces a public meeting of the Governing Body to which all persons are invited.

DATE AND TIME: September 25, 2003, 11:00 a.m. – conclusion

PLACE: Room 310M, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of waiver of rule for 03-061-FF3, Oak Hill Mosquito Lagoon Park, City of Oak Hill; other business that the governing board deems necessary.

ACTION TO BE TAKEN: Consideration of above-stated business.

To obtain a copy of the agenda, contact: The Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to insure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability or physical impairment should contact Florida Communities Trust, (904)922-2207, SunCom 292-2207, at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, September 15, 2003, 1:00 p.m. – 5:00 p.m.; Tuesday, September 16, 2003, 8:30 a.m. – 5:00 p.m.

PLACE: Wyndham Westshore Hotel, 4860 West Kennedy Boulevard, Tampa, Florida 33609, (813)286-4400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime and Drug Control Council and any other interested individuals will meet to hear presentations and discuss issues relating to violent crime, and multi-agency or statewide drug control or illicit money laundering investigative or task force efforts.

A copy of the agenda may be obtained by writing: Joyce Gainous-Harris, Government Analyst, Florida Department of Law Enforcement, Division of Criminal Investigations and Forensic Science Services, Office of Statewide Intelligence, Post Office Box 1489, Tallahassee, Florida 32302 or (850)410-7096.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Fresh Orange and Specialty Advisory Council to which all persons are invited.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review and discuss the fresh squeezed program and determine next steps; review and update other programs previously approved for the 2003-04 season and any other business which may appropriately come before the council.

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

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, October 1, 2003, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** will conduct public hearings in the service territories of Verizon, Sprint, and BellSouth to elicit public testimony regarding these companies’ petitions filed pursuant to Section 364.164, Florida Statutes. (Dockets Nos. 030867-TL, 030868-TL and 030869-TL, respectively). Public testimony will be received relating to the factors outlined in the statute that the Commission must consider in making its decision in this matter. The public hearings will be conducted in the locations set forth below on the identified dates.

October 1, 2003	Jacksonville, FL
October 2, 2003	Orlando, FL
October 3, 2003	Tampa/St. Petersburg, FL
October 8, 2003	Fort Lauderdale, FL
October 9, 2003	Punta Gorda, FL
October 13, 2003	Pensacola, FL
November 4, 2003	Tallahassee, FL

Due to the expedited scheduling of these proceedings, specific times and hearing locations will be provided by subsequent notice or may be obtained by contacting Beth Keating, (850)413-6212, Commission Clerk and Administrative Services, (850)413-6770, or by visiting the Commission’s website at <http://www.floridapsc.com>.

The additional scheduling information will be available after September 16, 2003.

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

DATE AND TIME: *October 6, 2003, 9:30 a.m.
 PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

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

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

* In the event of a scheduling conflict, this meeting may be rescheduled to October 7, 2003, in Room 140, immediately preceding or immediately following the Commission Conference.

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 020898-EQ – Petition by Cargill Fertilizer, Inc. for permanent approval of self-service wheeling to, from, and between points within Tampa Electric Company’s service area.

DATE AND TIME: October 6, 2003, 1:30 p.m.
 PLACE: Hearing Room 152, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

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

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

DATE AND TIME: October 7, 2003, 9:30 a.m.
 PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

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

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

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting: Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

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

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

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Volunteerism and Community Service**, Volunteer Florida is pleased to announce a public conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 23, 2003, 2:00 p.m.

PLACE: Call (850)921-5172 for call-in number and pass code

GENERAL SUBJECT MATTER TO BE CONSIDERED: CEO Search Committee workshop.

Please contact Gwen Erwin, 401 S. Monroe Street, Tallahassee, FL 32301-2034, for a copy of the agenda.

If you require a reasonable accommodation to participate in the conference call, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

The Governor's Commission on **Volunteerism and Community Service**, Volunteer Florida, is pleased to announce a public conference call to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2003, 2:00 p.m.

PLACE: Call (850)921-5172 for call-in number and pass code

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission Business.

Please contact: Gwen Erwin, 401 S. Monroe Street, Tallahassee, FL 32301-2034, for a copy of the agenda.

If you require a reasonable accommodation to participate in the conference call, please contact Gwen Erwin, (850)921-5172 (Voice/TTY), 72 hours in advance with your request.

NOTICE IS HEREBY GIVEN that the **Executive Office of the Governor** will hold a public hearing which will be held on: DATE AND TIME: October 9, 2003, 11:00 a.m.

PLACE: Room 301, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A hearing regarding a plan for the issuance of up to \$150,000,000 aggregate principal amount of obligations (the "Bonds") by Florida Educational Loan Marketing Corporation (the "Corporation") to finance the acquisition and carrying by the Corporation of educational loan notes incurred under the Higher Education Act of 1965, as amended, including, without limitation, financing pursuant to the request of the Governor of the State of Florida to assist the State of Florida by providing an educational loan secondary market and warehousing facility pursuant to the provisions of Section 150(d) of the Internal Revenue Code of 1986, as amended.

Amounts payable on the Bonds will not constitute an indebtedness or liability of the State of Florida or any political subdivision thereof or be a charge against their general credit or their taxing powers, if any, but shall be payable solely from other sources established in connection with issuance of the Bonds.

The public hearing is required by Section 147 of the Internal Revenue Code of 1986, as amended. At the time and place set for the public hearing, interested individuals will be given the opportunity to express their views, both orally and in writing, on the proposed issuance of the Bonds and the plan of financing of educational loans thereby. Written comments may be submitted to the Corporation until and including the date of the hearing.

A copy of the agenda may be obtained by contacting: The Corporation, 11140 S. W. 88th Street, Suite 200, Miami, Florida 33176, 1(888)740-1074.

Reasonable requirements may be imposed on individuals who wish to participate in the hearing, including requirements that persons desiring to speak at the hearing so request in writing delivered to the Corporation at the above referenced address at least 24 hours before the hearing and that oral remarks be limited to ten minutes.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the Corporation at least 48 hours before the hearing by contacting: Judith Morris, 1(888)740-1074 or Barbara Ryan, (480)461-6501.

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Planning Council**, Ad Hoc Selection Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Monday, September 29, 2003, 10:00 a.m.
PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is established to discuss Regional Leadership Awards.

A copy of the Ad Hoc Selection Committee agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Planning Council**, Personnel, Program Planning and Budget Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, October 2, 2003, 9:00 a.m.
PLACE: Northeast Florida Regional 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 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, October 2, 2003, 9:00 a.m.
PLACE: Northeast Florida Regional 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 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, October 2, 2003, 9:00 a.m.
PLACE: Northeast Florida Regional 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 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, October 2, 2003, 10:00 a.m.
PLACE: Northeast Florida Regional 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 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 **Northeast Florida Regional Planning Council**, Ad Hoc Committee on Policies, Priorities and Procedures announces the following public meeting to which all persons are invited:

DATE AND TIME: Wednesday, October 22, 2003, 10:00 a.m.
 PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is established to examine how the Council can transform and conduct business to help meet new challenges.

A copy of the Ad Hoc Committee Charge agenda may be obtained by contacting: Northeast Florida Regional 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 **South Florida Regional Planning Council**, Institute for Community Collaboration announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2003, 9:00 a.m. – 4:00 p.m.

PLACE: Chamber South, 6410 S. W. 80 Street, South Miami, Florida 33143

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue to discuss the Watershed Plan of Study.

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

Anyone deciding to appeal any decision made by the South Miami-Dade Watershed Study Advisory 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.

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

DATE AND TIME: Wednesday, October 8, 2003, 10:30 a.m.
 PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received

prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Pompano Beach; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Pembroke Park; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

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

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

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

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

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

ALAFIA RIVER BASIN BOARD MEETING

DATE AND TIME: Thursday, October 2, 2003, 9:00 a.m.
 PLACE: SWFWMD, Service Office, 7601 U.S. Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

COASTAL RIVERS BASIN BOARD MEETING/WORKSHOP

DATE AND TIME: Tuesday, October 7, 2003, 9:00 a.m.
 PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

HILLSBOROUGH RIVER BASIN BOARD MEETING

DATE AND TIME: Thursday, October 9, 2003, 9:00 a.m.

PLACE: SWFWMD, Service Office, 7601 U.S. Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

PEACE RIVER BASIN BOARD MEETING/WORKSHOP

DATE AND TIME: Friday, October 10, 2003, 9:30 a.m.

PLACE: SWFWMD, Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business.

These are public meetings and agendas are available by contacting the Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

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

DATE AND TIME: Monday, September 15, 2003, 10:00 a.m. – 3:00 p.m. (or until finished)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting (WRAC) Comprehensive Everglades Restoration Project (CERP) Consumptive Use Permitting (CUP) Issues Workshop.

A copy of the agenda may be obtained at: (1) District Website (<http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

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

DATE AND TIME: Wednesday, September 17, 2003, 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting (WRAC) Comprehensive Everglades Restoration Project (CERP) Recreational Activities Issues Workshop.

A copy of the agenda may be obtained at: (1) District Website (<http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

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

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

PLACE: USDA – ARS US Horticultural/Agricultural Center, 2001 South Rock Road, Ft. Pierce, FL 34945

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Issues Workshop on The Upper East Coast Regional Water Supply Plan.

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, FL 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 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: Monday, September 29, 2003, 10:00 a.m. – 3:00 p.m. (or until finished)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting (WRAC) Lake Okeechobee Issues Workshop Meeting.

A copy of the agenda may be obtained at: (1) District Website (<http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

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

DATE AND TIME: Thursday, October 2, 2003, 8:30 a.m. – 5:00 p.m. (or until finished)

PLACE: Chateau Elan Hotel, Conference Room, 150 Midway Drive, Sebring, Florida 33870

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

A copy of the agenda may be obtained at: (1) District Website (<http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

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

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

DATES AND TIME: October 8, 2003 and/or October 9, 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: (1) District Website (<http://www.sfwmd.gov/gover/GovBoard/webpage/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally

recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Ruth Clements, Department Director, Land Acquisition Department, (561)682-6271, District Headquarters, 3301 Gun Club Road, Mail Stop Code 7220, West Palm Beach, FL 33406.

Part of the Southern Corkscrew Regional Ecosystem Watershed project comprised of thirty-nine parcels referred to as SFWMD Tract Nos. 09-100-007, 09-100-011, 09-100-013, 09-100-014, 09-100-016, 09-100-017, 09-100-018, 09-100-021, 09-100-022, 09-100-024, 09-100-027, 09-100-034, 09-003-194, 09-003-198, 09-003-434, 09-003-511, 09-003-729, 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, 09-005-183, 09-005-230, 09-005-270 and 09-005-271 consisting of approximately 268 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 26, Township 43 South, Range 28 East within Hendry County, Florida.

Part of the Kissimmee River project comprised of sixteen parcels referred to as SFWMD Tract Nos. 19-103-559, 19-103-560, 19-103-561, 19-103-562, 19-103-563, 19-103-565, 19-103-566, 19-103-567, 19-103-665, 19-103-666, 19-103-667, 19-103-668, 19-103-669, 19-103-670, 19-103-671 and 19-103-672 consisting of approximately 15 acres and lying in Sections 21, 22 and 27, Township 36 South, Range 33 East within Okeechobee County, Florida.

Part of the 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 two parcels referred to as SFWMD Tract Nos. 27-100-042 and 27-100-056 consisting of approximately 360 acres, and lying in Sections 02 and 17, Townships 49 and 53 South, Ranges 35 and 39 East in Miami-Dade and Broward Counties, Florida.

Part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-102-140 consisting of approximately 300 acres, lying in Sections 9 and 10, Township 35 South, Range 32 East in Highlands County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of two parcels referred to as SFWMD Tract Nos. 18-200-005 and 18-200-007, consisting of a total of approximately 700 acres, all in Sections 28 through 32, Township 27 South, Range 30 East and in Osceola County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of five parcels referred to as SFWMD Tract Nos. 18-011-002 through 18-011-006, consisting of a total of approximately 5 acres, all in Sections 24 and 25, Township 30 South, Range 30 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of eight parcels referred to as SFWMD Tract Nos. 18-001-052 through 18-001-060, consisting of a total of approximately 45 acres, all in Section 3, Township 31 South, Range 31 East and in Polk County, Florida.

Part of the Kissimmee Chain of Lakes project comprised of 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 Chain of Lakes project comprised of four parcels referred to as SFWMD Tract Nos. 18-029-003, 18-030-003, 18-116-005 and 18-031-002, consisting of a total of approximately 360 acres, all in Sections 1 and 12, Township 29 South, Range 29 East and in Polk County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract Nos. 19-101-065 and 19-101-066, consisting of a total of approximately 45 acres, all in Sections 12 and 13, Township 34 South, Range 31 East in Okeechobee County, Florida.

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract Nos. 19-101-055 and 19-101-056, consisting of a total of approximately 220 acres, in Sections 12 and 13, Township 34 South, Range 31 East in Okeechobee County, Florida.

Part of the 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.

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

DATE AND TIME: Thursday, October 30, 2003, 10:00 a.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Everglades Technical Oversight Committee (TOC) Meeting.

PLACE: South Florida Water Management, Headquarters, B-1 Building, Storch Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

A copy of the agenda may be obtained at: (1) District Website (<http://www.sfwmd.gov/org/ema/toc/draftagenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Dr. Garth Redfield, Environmental Monitoring and Assessment Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6611.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a joint meeting of the Finance, Audit and Program Performance Committee and the Rate Review Committee to which all persons are invited.

DATE AND TIME: Tuesday, October 7, 2003, 9:00 a.m. – completion

PLACE: 2740 Centerview Drive, Room 308, Rhyne Building, Tallahassee, FL, (850)410-5700, Conference Call Number (850)921-6623, Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed rate structure changes and to conduct regular committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

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, October 1, 2003, 10:00 a.m.

PLACE: Manatee County Administrative Center, 1112 Manatee Avenue, West, Bradenton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

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.

FLORIDA SPACE AUTHORITY

The **Florida Aerospace Finance Corporation (FAFC)** announces a Board of Directors meeting and teleconference to which the public is invited.

DATE AND TIME: September 30, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Enterprise Florida, Inc. (EFI), 390 North Orange Avenue, Suite 1300, Orlando, Florida (EFI has reserved one of their conference rooms for the FCSFC Board Meeting – to be posted on site) To attend via telephone call 1(866)249-5325, participant code 393255

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review general board business, ratifications of agreements, financings, guarantees, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact: Mr. Frank DiBello, (321)690-3397.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 403 Brevard Avenue, Suite 1, Cocoa, Florida 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Aerospace Finance Corporation.

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, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Technology Office** announces a combined meeting of the Joint Task Force Standard Operating Procedure Committee and Technical Committee to which all interested persons are invited.

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

PLACE: Department of Transportation, Office of Motor Carrier Compliance, 1815 Thomasville Road, Tallahassee, FL 32344

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters of the Statewide Law Enforcement Radio System.

For more information about the agenda, contact: Vic Cullars, FDLE Technical Committee, (850)410-8307 or Todd Preston, FWCC SOP Committee, (850)410-0656.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Division of Professions and Regulation**, announces a Board Chair and Vice-Chair Training Workshop to which all interested persons are invited.

DATE AND TIME: October 1, 2003, 8:30 a.m. or soon thereafter and will continue consecutively until completed

PLACE: Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399, (850)413-9116

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide training to all board Chair's and Vice Chair's regarding their role as chairperson.

A copy of the agenda may be obtained by writing: Division of Professions and Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0754.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based. For further information, contact the Division of Professions and Regulation at 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD)

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference, to which all persons are invited to attend.

DATE AND TIME: October 2, 2003, 10:00 a.m. (Eastern Standard Time)

PLACE: Telephone (850)410-0961 or Suncom 210-0961

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

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

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

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

The **Department of Business and Professional Regulation** announces a public meeting of the Florida Barber's Board to which all persons are invited to participate.

DATE AND TIME: Monday, November 17, 2003, 9:00 a.m.

PLACE: Radisson Hotel Clearwater Central, 20967 U.S. Highway 19, North, Clearwater, Florida 33765

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular board business.

A copy of the agenda may be obtained by writing: Florida Barbers' Board, 1940 North Monroe Street, Suite #60, Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, they 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.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical

State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: September 23, 2003, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 201 West Bloxham Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202 or (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies**, announces a Rules Workshop and General Business meeting to which all persons are invited.

RULES WORKSHOP

DATE AND TIME: Tuesday, October 14, 2003, 10:00 a.m. or soon thereafter

GENERAL BUSINESS MEETING

DATE AND TIME: Wednesday, October 15, 2003, 8:30 a.m. or soon thereafter

PLACE: Sheraton Suites Tampa Airport, 4400 W. Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct board business.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the board office, (850)487-8304. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771(TDD).

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they 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 will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Funeral Directors and Embalmers** announces the following meeting to be held by telephone conference call, to which all parties are invited to attend.

DATE AND TIME: September 30, 2003, 10:00 a.m.

PLACE: Access Phone (850)488-8713, SunCom 278-8713

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

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

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

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

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

DATE AND TIME: October 1, 2003, 1:00 p.m.

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL, Telephone Number (850)488-5776, Suncom 278-5776

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

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Board of

Pilot Commissioners, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Pilot Commissioners** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: October 9, 2003, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee Meeting and Rules Committee Meeting immediately followed by Probable Cause Panel meeting, which portions may be closed to the public.

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

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

PLACE: Crowne Plaza La Concha, 430 Duval Street, Key West, FL 33040

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

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-5012, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The **Department of Health**, Bureau of HIV/AIDS will conduct a Ryan White C.A.R.E Act Public Meeting.

DATE AND TIME: September 24, 2003, 5:45 p.m. – 7:00 p.m.

PLACE: Crowne Plaza Westshore Hotel, 700 North Westshore Boulevard, Tampa, FL 33609

CONTACTS: David Poole or Lucretia Jones, (850)245-4335

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the use and distribution of Title II funds from the 2003-04 Ryan White C.A.R.E. Act grant.

All persons, including representatives of city and county governments, health officials, and public and private community organizations are invited to attend this public meeting.

Pursuant to Section 381.90, F.S., the **Florida Health Information Systems Council** will hold a joint telephone conference call and meeting to facilitate the identification, collection, standardization, sharing and coordination of health-related data among federal, state, local, and private entities.

DATE AND TIME: October 22, 2003, 2:00 p.m. – 4:00 p.m.

PLACE: Telephone (850)921-5230 or Suncom 291-5230

Note: The following location has been reserved to provide the option to participants to assemble at a common site for the meeting/conference call.

Department of Health, 4052 Bald Cypress Way, Room 240Q, Tallahassee, FL 32399

The Florida **Department of Health, Division of Medical Quality Assurance** announces the annual long-range planning board/council chairs meeting.

DATE AND TIME: Monday, September 29, 2003, 9:30 a.m. – completion of agenda

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review with the board/council chairs as required by Section 456.005, F.S., the long-range policy planning and monitoring process to include recommendations specific to each profession.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Medical Quality Assurance, (850)245-4124, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Florida Medical Quality Assurance using the Florida Dual Party Relay System that 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: Amy M. Jones, Director, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

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

DATE AND TIME: September 25, 2003, 3:00 p.m. – 4:00 p.m.

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

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

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

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

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

The **Department of Health, Board of Medicine**, Dietetics and Nutrition Practice Council announces a General Business Meeting.

DATE AND TIME: September 30, 2003, 1:00 p.m. or soon thereafter

PLACE: (850)488-5776, Suncom 278-5776

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

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)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 council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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

DATE AND TIME: September 30, 2003, 1:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)819-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to consider consultant pharmacist education and internship requirements for Rules 64B16-26.300, 64B16-26.301, 64B16-26.302 and 64B16-26.320, F.A.C.

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

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

The **Correctional Medical Authority** announces a meeting of the Budget and Personnel Committee to which all interested persons are invited.

DATE AND TIME: September 29, 2003, 10:00 a.m. – 1:00 p.m.

PLACE: Correctional Medical Authority, Conference Room, 1632 Metropolitan Circle, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of correctional health care budget and personnel issues.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Community Alliance of Northeast Florida, representing Baker, Clay, Duval and St. Johns counties announces public meetings to which all persons are invited:

Full Alliance Meeting

DATE AND TIME: October 15, 2003, 2:30 p.m. – 4:30 p.m.

PLACE: Southeast Library, 10599 Deerwood Pk. Blvd., Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Community-based care effectively serving all citizens.

Committee meetings are held Wednesdays, 1:00 p.m., as needed, 5920 Arlington Expressway, Client Relations Office, Jacksonville, FL (unless otherwise posted at this site).

Please call Debbi Thomas, (904)723-5880 or TDD (904)724-8606, for confirmation of meeting time and location or if special accommodations are required.

The Florida **Department of Children and Family Services** announces a meeting of the Marion County Children’s Alliance Committee to which all persons are invited.

DATE AND TIME: Wednesday, October 1, 2003, 12:00 Noon

PLACE: Marion County Sheriff’s Office, 692 N. W. 30th Ave., Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide participation and governance of community based services, Section 20.19(6), F.S.

A copy of the agenda may be obtained by writing: Mona Terry, Box 80-O, 1601 W. Gulf-Atlantic Hwy., Wildwood, FL 34785. Persons needing special accommodations to participate in this proceeding should contact the agency no later than five working days prior to the meeting, (352)330-2177.

The **Department of Children and Family Services**, District 11 announces the following series of meetings with Our Kids of Miami-Dade/Monroe, Inc. of Miami Dade and Monroe Counties. The categories of meetings are as follows:

Client Population Workgroup will meet monthly to discuss issues related to children in foster care, demographics, geographic distribution, case planning, placement, etc.

Human Resources Workgroup will meet monthly to discuss issues related to staffing patterns within the department in transition to community based care, and recruitment, orientation and training of new employees for both the department and the lead agency as well as issues related communications to employees during the transition period.

Information Technology (IT) Workgroup will meet monthly to discuss issues related to the infrastructure of data collection, storage and reporting within Federal, State and local requirements for child in care and to determine and analysis needs for data integration and reporting across systems.

Shared Risk Workgroup will meet twice a month to discuss potential risk models and best practices, funding streams, and to develop an action plan to include details to generate additional federal funding, identification of local and other revenue maximization and to address barriers.

Community of Landmark Workgroup will meet once a month to discuss issues related to community based foster care and related services in the Community of Landmark.

Technical data and information sharing for all of the above may take place on a weekly basis as needed.

All meetings and data/information sharing are subject to change.

For exact times, dates and locations of meetings, all interested parties should contact the office of Peter D. Coats at District 11: (305)377-7018 or (305)377-5002, for Beatrice Maldonado, Administrative Assistant.

The **Department of Children and Family Services**, District 11 announces the following series of committee and subcommittee meetings with The Community Based Alliance of Miami Dade and Monroe Counties.

Community Based Care Fullboard Alliance will meet monthly to discuss issues related to children in care and other business of the Alliance in Miami Dade County.

Community Based Care Alliance in Monroe County will meet monthly to discuss issues related to children in care and other business of the Alliance in Monroe County.

Public Policy Advocacy and Education Committee will meet monthly to discuss issues related to public policy as it relates to child welfare, the work of the Alliance and efforts to educate the public.

Quality Assurance and Evaluation Committee will meet monthly to discuss issues related to the quality of care for children in care and performance evaluation tools for the department, providers and the prospective lead agency.

Membership Committee will meet monthly to discuss issues related to membership and bylaws of the Alliance.

System of Care Committee will meet monthly to discuss issues related to the overall system of care for all age groups of children in care by the department, providers and the prospective lead agency.

System of Care 0-5 Subcommittee will meet monthly to discuss issues related to children in the 0 to 5 age group in care by the department, providers and the prospective lead agency.

System of Care 6-12 Subcommittee will meet monthly to discuss issues related to children in the 6 to 12 age group in care by the department, providers and the prospective lead agency.

System of Care 13-18 Subcommittee will meet monthly to discuss issues related to children in the 13 to 18 age group in care by the department, providers and the prospective lead agency.

All meetings are subject to change.

For exact times, dates and locations of meeting, all interested parties are asked to contact: Beatrice Maldonado, Administrative Assistant, Office of Peter D. Coats, District 11, (305)377-7018 or (305)377-5002.

The Florida **Department of Children and Family Services** announces the following District 8, Community-Based Care Alliance meeting: Lee County Community Alliance:

DATE AND TIME: November 14, 2003, 3:30 p.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Room 123, Fort Myers, Florida

DEPARTMENT OF FINANCIAL SERVICES

The **Florida Financial Management Information System** (FFMIS), Coordinating Council and the Enterprise Resource Planning Integration Task Force announce the following joint public meeting to which all persons are invited.

DATE AND TIME: October 2, 2003, 10:00 a.m.

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

Please Note: The above date, time and place of the meeting are tentative.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of issues relating to the Florida Financial Management Information System and to the Enterprise Resource Planning Integration Task Force.

A copy of the agenda may be obtained by contacting: Don Northam, Department of Financial Services, 200 E. Gaines Street, Tallahassee, FL 32399-0352, (850)413-2822, Fax (850)488-7265, e-mail: northamd@dfs.state.fl.us

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a meeting of its Board of Governors to which all interested persons are invited.

DATE AND TIME: Tuesday, September 30, 2003, 10:00 a.m., EDT

PLACE: Crown Plaza Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, catastrophe financing plans.

For additional information, please call 1(800)807-7647, Extension 3702.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, October 2, 2003, 11:00 a.m.

PLACE: Key West Hilton, 245 Front Street, Key West, Florida, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust will also be held October 2, 2003, 1:00 p.m. at the same location. The purpose of this meeting is to receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, October 2, 2003, 2:00 p.m.
 PLACE: Key West Hilton, 245 Front Street, Key West, Florida, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust will also be held October 2, 2003, 1:00 p.m., at the same location. The purpose of this meeting is to receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, October 2, 2003, 3:00 p.m. or immediately upon adjournment of FMIvT which begins at 2:00 p.m.

PLACE: Key West Hilton, 245 Front Street, Key West, Florida, (305)294-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, Ext. 277.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE OF WITHDRAWAL – Notice is hereby given that the petition for declaratory statement regarding individual water metering for Grand Isle has been withdrawn by Florida Water Services Corporation. Docket No. 030470-WS.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATIONS

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulations, Regulatory Council of Community Association Managers, received a request for a Declaratory Statement on July 24, 2003 from Sam A. Mackie, P.A., regarding the interpretation of Sections 468.431(2) and (3), F.S., as applied to the activities of a certain employee of a condominium association.

It has been assigned the number LE 2003073463.

A copy for the request may be obtained by writing: Charles Pellegrini, Assistant General Counsel, Department of Business and Professional Regulations, 1940 N. Monroe Street, Tallahassee, FL 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, in regards to withdrawal of petition for declaratory statement In Re: Petition for Declaratory Statement of Natalie H. Wilson, James Edward Wilson, M.D., and Roland B. Foster; Jade East Towers owners' Association.

Based upon withdrawal of petition, the Division dismissed the petition because the parties had resolved the issues presented; so, there was no longer a need for the division to issue a declaratory statement.

A copy of the Notice of Withdrawal of the Petition for Declaratory Statement, Docket Number 2003029499, LS 025703, 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 Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1029.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, in regards to withdrawal of petition for declaratory statement In Re: Crescent Gardens, Eurofund Crescent Lakes, Ltd.; DS 2003070083.

The Division closed the petition without opinion because petitioner withdrew the petition.

A copy of the Notice of Withdrawal of the Petition for Declaratory Statement, Docket Number 2003070083, 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 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 HEALTH

NOTICE IS HEREBY GIVEN that the final order issued by the Department of Health denying a Petition for Declaratory Statement on Section 120.569, Florida Statutes, and subsections 28-106.111(1)-(2) and 64F-10.003(1),(7) and (9), Florida Administrative Code has been vacated by the court in *C.C. v. Department of Health*, Case No. 1D02-5291 (Fla. 1st DCA, August 12, 2003) 2003 Fla. App. Lexis 12103 and remanded back to the Department of Health.

Originally the Department published notice of the petition for declaratory statement in Vol. 28, No. 37, September 13, 2002, FAW and of the final order in Vol. 28, No. 51, December 20, 2002, FAW.

Consistent with the court's mandate, the Department has ninety (90) days within which to issue a Declaratory Statement from the date of the August 28, 2003 Mandate.

A copy of the Petition for Declaratory Statement may be obtained by writing: Sam Power, Agency Clerk, Office of the General Counsel, Department of Health, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

NOTICE IS HEREBY GIVEN that the Board of Nursing has received a Petition for Declaratory Statement with regard to Chapter 464 Nursing, Part I, Nurse Practice Act, Florida Statutes, which was filed September 4, 2003, by Kathleen Davitt, R.N. Petitioner requests a declaratory statement from the Board in regard to the scope of practice for a registered nurse to defibrillate a patient in an inpatient or ambulatory care

setting or a procedure setting prior to ACLS code team arrival if there are standing orders or protocols to follow in those situations. This matter will be addressed at the Practice Committee meeting during the regularly scheduled Board meeting on October 8, 2003 at 6:00 p.m., or shortly thereafter, at Adam's Mark, 225 Coast Line Drive, Jacksonville, Florida 32202, (904)633-9095.

A copy of the Petition for Declaratory Statement may be obtained by writing: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation has received a petition for a declaratory statement from Nextag, Inc. The petition seeks the Office's opinion as to the applicability of mortgage brokerage licensing requirements under Chapter 494, Fla. Stat., specifically Sections 494.0025, 494.003, 494.0031 and 494.0033, Fla. Stat., as it applies to the Petitioner's particular circumstances. Petitioner asks whether, as an internet based comparison shopping company, it must be licensed under Chapter 494, Fla. Stat., and, if it must be licensed, whether its electronically created and maintained records would meet the record retention requirements set forth in Chapter 494, Fla. Stat.

A copy of the Petition for Declaratory Statement may be obtained by writing: Cynthia K Maynard, Office of Financial Regulation, 200 E. Gaines Street, Legal Services, The Fletcher Bldg., Rm 526, Tallahassee, FL 32399-0379.

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation has received a petition for a declaratory statement from Select Trade Systems, LLC. The petition seeks the Office's opinion as to the applicability of Sections 517.021(6)(a) and 517.12(1), Fla. Stat., to the Petitioner's particular circumstances. As an Internet based consultant on various electronic trading systems offered by broker/dealers, Petitioner asks whether Sections 517.012(6)(a) and 517.12(1), Fla. Stat., of the Florida Securities and Investors Protection Act require it to be licensed as a securities dealer.

A copy of the Petition for Declaratory Statement may be obtained by writing: Cynthia K Maynard, Office of Financial Regulation, 200 E. Gaines Street, Legal Services, The Fletcher Bldg., Rm 526, Tallahassee, FL 32399-0379.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees, announces that professional services in the discipline of Mechanical/Electrical Engineer will be required for the project listed below:

Project and Location: Continuing Consulting Engineering Services Contract, Florida International University, all sites, Miami, Florida

Continuing Services Contracts are specific projects for Mechanical, Electrical and Plumbing for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee

for professional services is \$100,000 or less. This will be a multiple award contract for an initial period of one year with an Owner's option to renew an additional year. Two contracts will be awarded. Continuing Services Contracts provide that the consultant will be available on an as-needed basis for the Fiscal Year, July 1-June 30.

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

Attach to each letter of application:

1. A completed (former Board of Regents) "Professional Qualifications Supplement (SUSPQS)," dated September 1999. Applications on any other form will not be considered. It is the intent of FIU to encourage participation by qualified Minority Business Enterprises however, State of Florida MBE Certification is not a factor in the selection process. Disregard paragraph 4 on page 2 of the instructions.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit eight (8) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E 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 \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms and the Project Fact Sheet may be obtained by mail from: Facilities Planning and Construction, Florida International University, Campus Support Complex, Room 236, University Park, Miami, Florida 33199, telephone (305)348-4070, or by FAXING a request to (305)348-4010, or login to <http://facilities.fiu.edu/fpc.htm> (Find project under Facilities Construction Project Information). Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Facilities Planning and Construction.

Submit qualifications to: Selection Committee, Florida International University, Facilities Planning & Construction, Campus Support Complex, Room #236, University Park, Miami, Florida 33199, by 2:00 p.m., local time, on October 20, 2003. Late submittals shall be disqualified. 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."

DEPARTMENT OF CORRECTIONS

ADVERTISEMENTS FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, BUREAU OF FACILITIES SERVICES.

CONSTRUCTION OF: Rehabilitation and Repainting of Wastewater Treatment Plant

PROJECT NO.: BE- 43-WW

PROJECT SITE: HARDEE CORRECTIONAL INSTITUTION, Bowling Green, Florida

PREQUALIFICATION: All bidders must submit evidence that they are qualified to perform the work in accordance with Section B, paragraph B-2 of the Specifications.

BID DATE AND TIME: October 13, 2003 at 2:00 p.m., local time

PLACE: Hartman & Associates, Inc., 4415 Metro Parkway, Suite 216, Fort Myers, Florida 33916

Any person with a qualified disability requiring special accommodations at the pre-bid conference and/or bid/proposal opening shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1(800)955-8771 (TDD).

PROPOSALS: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT/ENGINEER: Hartman & Associates, Inc., 4415 Metro Parkway, Suite 216, Fort Myers, Florida 33916, Attn: Daniel M. Nelson, P.E., (239)277-5155

DRAWINGS/SPECIFICATIONS: Sets of Drawings and Specifications may be purchased for \$95.00 per set. Partial sets may not be purchased. Payment made to "Hartman & Associates, Inc".

PRE-BID CONFERENCE: A pre-bid conference will be held on September 25, 2003, at 10:30 a.m., local time at the Administration Building Conference Room at the Hardee Correctional Institution. (Non-Mandatory)

CONTRACT AWARD: The recommendation for contract award will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, the contract will be awarded by the Secretary, Department of Corrections. Right is reserved to reject any or all bids.

EXPRESSWAY AUTHORITIES

NOTICE TO CONSULTANTS

GENERAL TRAFFIC AND EARNINGS CONSULTANT REQUEST FOR TECHNICAL PROPOSALS

The Orlando-Orange County Expressway Authority (Authority) requests Technical Proposals from qualified Traffic and Earnings Consultants (Consultant) to provide professional services to perform ongoing traffic and revenue evaluations, studies and projections. These analyses will be used in support of bond issuance, financial planning, system and long range planning and project feasibility.

The Consultant must be qualified to do business in Florida, have a favorable nationwide reputation for skill and experience in such work, experience and familiarity with modeling and forecasting in the Orlando urban area, and be pre-qualified by the Florida Department of Transportation under Chapter 14-75, F.A.C., to perform work under Group 13.4, System Planning, and Group 13.5, Subarea/Corridor Planning.

Any firm wanting to be considered by the Authority can obtain a copy of the Proposal Submittal Requirements package, free of charge, by contacting: Sherry Chastain, (407)647-7275, Extension 280.

DESCRIPTION OF SERVICES: Consultant services are required to provide general traffic and earnings/revenue on a continuing basis for financial planning on the Authority system of toll roads including any extensions, expansion projects or candidate projects. The work to be performed by the selected consultant includes, but is not necessarily limited to: data collection and analysis, traffic forecasting, impact analysis, evaluation of alternative toll rate structures, cost analysis, revenue projections, and financial/economic feasibility studies as assigned.

The term of the Contract will be three years with two 1 year renewal options.

MINIMUM REQUIREMENTS: Proposers that are corporations must be registered to do business in Florida. All Proposers must be qualified to perform the work as described by the Proposal Submittal Requirements. The Authority will evaluate and determine the relative ability of each Proposer to perform the required services based upon the information provided by the Proposer in its submittal.

PROPOSAL DUE DATE: Proposals will be received by the Authority until 3:00 p.m., Orlando local time, on October 24, 2003. Proposals delivered or received after that time and date will not be considered, and will be rejected as non-responsive.

AUTHORITY CONTACT PERSON: Mr. Joseph A. Berenis, P.E., Deputy Executive Director, Orlando-Orange County Expressway Authority, 525 South Magnolia Avenue, Orlando, Florida 32801, Telephone (407)316-3800

NOTIFICATION OF CRIME CONVICTION: Each Proposer shall notify the Authority within 30 days after conviction of a contract crime applicable to any of its officers, directors, executives, shareholders active in management, employees or agents of its affiliates.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, sex, national origin, age, religion and disability. The Authority hereby notifies all Proposers and individuals that it requires and encourages equal employment opportunity for minority and women as employees in the workforce.

MINORITY/WOMEN/DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: The Orlando-Orange County Expressway Authority hereby notifies all Proposers and individuals that it will require affirmative efforts be made to ensure participation of local minority and women business enterprises on contracts awarded by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

NOTICE TO PROFESSIONAL ENGINEERING CONSULTANTS

The Orlando-Orange County Expressway Authority requires the services of a Professional Engineering Consultant in connection with the design of improvements at the S.R. 408 / Good Homes Road interchange, identified as Project No. 504A, in Orlando, Florida. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority, based on information provided by the firms, and who have been prequalified by FDOT to perform the indicated Types of Work.

MAJOR TYPES OF WORK: Group 3.2, Major Highway Design; Group 3.3, Controlled Access Highway Design; Group 4.1, Minor Bridge Design; Group 14, Architecture.

ADDITIONAL TYPES OF WORK REQUIRED: Group 7, Traffic Operations Design; Group 8, Surveying and Mapping and Group 9, Soil Exploration, Material Testing and Foundations.

DESCRIPTION: The work to be performed under this project will include geometric design for the addition of expressway ramps to/from S.R. 408 west at Good Homes Road, the widening of Good Homes Road through the interchange area and the widening of the Good Homes Road Bridge over S.R. 408.

Additional elements include: ramp toll plaza design, surveying, right-of-way mapping, drainage evaluation and design, lighting, signalization, signing and pavement markings, maintenance of traffic, utility design and coordination, geotechnical analysis, preparation of materials for public meetings and presentations, scheduling and project control, progress reporting and other tasks and associated activities. The work may also include the design for widening Good Homes Road from the S.R. 408 interchange north to S.R. 50.

LETTERS OF INTEREST SUBMITTAL REQUIREMENTS: Consultants wishing to be considered shall submit six (6) sets of a Letter of Interest package. The letter shall be a maximum of ten (10) pages exclusive of attachments and resumes. The packages shall include the following:

1. Experience – Details of specific experience for at least three (3) projects, similar to that described above that involve limited access highway reconstruction, completed by the consultant's Project Manager and other key project team members including the name of client contact person, telephone number, and physical address;
2. Personnel Experience – Resumes of the consultant's proposed Project Manager and other key personnel presently employed by the consultant who will be assigned to the project. The Project Manager shall have a minimum of five (5) years of specific experience in complex highway and/or bridge design projects;
3. Project Team – Anticipated subconsultants shall be identified and the roles that each will play in providing the required services. Resumes should be provided for subconsultants that may be involved in key roles;
4. Prequalification Documentation – A copy of the Notice of Qualification issued by the FDOT showing current qualification in the Types of Work specified above;
5. Office Location – The office assigned responsibility and its physical address shall be identified. It is required that the consultant have an office and key staff located within the Orlando area.

Failure to submit any of the above required information may be cause for rejection of the package as non-responsive.

SELECTION/NEGOTIATIONS: The Authority may shortlist up to five (5) firms based on its evaluation of the Letters of Interest and qualifications information received.

Shortlisted firms will proceed to the next step in the process which includes preparation and submittal of a Technical Proposal and an oral presentation or interview. The Authority will provide the shortlisted firms with a comprehensive outline of the Scope of Services for use in preparing the Technical Proposal. Each firm will be evaluated and ranked by the Authority's Consultant Recommendation Committee based on the Technical Proposal and oral presentations/interview. As part of its evaluation process, the Committee will also consider the consultant's willingness to meet time requirements, consultant's projected workload, and consultant's use of Minority/Women Owned Businesses.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities.

MINORITY / WOMEN / DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: Minority / Women / Disadvantaged Business Enterprises will not be discriminated against on the basis of race, color, sex, or national origin in consideration for qualification or an award by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

LETTER OF RESPONSE DEADLINE: October 13, 2003, 3:00 p.m., Orlando local time

AUTHORITY CONTACT PERSON: Mr. Joseph A. Berenis, P.E., Deputy Executive Director, Telephone (407)316-3800

LETTER OF RESPONSE ADDRESS: Orlando-Orange County Expressway Authority, 525 S. Magnolia Avenue, Orlando, FL 32801

Re: S.R. 408 and Good Homes Road Interchange Project No. 504A

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL MECHANICAL/ELECTRICAL/PLUMBING SERVICES FOR CONTINUING AREA CONTRACTS AREA 4 & 5 COMBINED

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction requests qualifications from mechanical/electrical/plumbing design and engineering firms to provide Professional Services in Area 4, counties of Citrus, Hardee, Hernando, Hillsborough, Lake, Manatee, Orange, Osceola, Pasco, Pinellas, Polk,

Sarasota, Sumter, combined with Area 5 counties of Brevard, Indian River, Seminole, and other counties as may be determined necessary by the owner.

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Facilities Management and Building Construction." "http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu"

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NAVIGATION DISTRICTS

EROSION MAINTENANCE PROJECT

The Florida Inland Navigation District is seeking bids from qualified and licensed contractors to design and repair erosion washouts on two (2) District owned properties in St. Johns County. The specifications for this project may be obtained by contacting: Mr. Mark Tamblyn, District, 1314 Marcinski Road, Jupiter, FL 33477, and telephone (561)627-3386. Bids will be due by 2:00 p.m., October 13, 2003.

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposals

2003/03 Development of Transitional Housing for Victims of Domestic Violence

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Securitization Services to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, December 19, 2003, to the attention of Robin Grantham, Contract Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org.

To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/ViewPage.aspx?page=77&pl=1>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

LEE COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE OF COMPETITIVE NEGOTIATION FOR CN-03-16 DENSITY REDUCTION GROUNDWATER RESOURCE & MINING STUDY

The Lee County Board of County Commissioners invites Letters of Interest and Qualifications Statements from Consultants to provide, professional services for the project known as Density Reduction Groundwater Resource and Mining Study.

This project involves the Consultant providing and performing the following professional services: Update and analysis of the County's reports addressing groundwater resources and evaluation of mining.

Before submitting Letters of Interest and Qualifications Statements, interested Consultants must obtain from Lee County Contracts Management, 1500 Monroe St., 4th Floor, Fort Myers, FL 33901 or by calling (239)335 2183 the following: (1) Guidelines and Instructions for Consultants Interested in Submitting Letters of Interest dated September 9, 2003; (2) A "Draft" copy of Exhibit "A" Scope of Professional Services dated September 9, 2003; and (3) Consultant Selection Letter of Interest Response Form for this project. Or you may download these documents from our Internet site at www.lee-county.com/contracts (under Projects Bulletin). Please Note: if the Official Documents are not obtained from Lee County Contracts Management (either by request or downloading), Letters of Interest will not be accepted by the County from a Consultant.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

PUBLIC NOTICE

The Division of Historical Resources announces that it is soliciting applications for State and Federal grant-in-aid assistance for historic preservation projects.

The deadline for filing applications is December 15, 2003 and applications must be delivered to the Bureau of Historic Preservation office by 5:00 p.m. that day or clearly postmarked or show evidence of submission to an express mail service on or before that date.

Further information may be obtained from the Grants and Education Section, Bureau of Historic Preservation, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or call (850)245-6333.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.31777(2) AND (3), FLORIDA STATUTES

DCA DOCKET NO. 47-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Okeechobee County, Okeechobee City and the Okeechobee School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Okeechobee County School Board, 700 S. W. Second Avenue, Okeechobee, Florida 34974.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Okeechobee County, Okeechobee City and the Okeechobee School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of

right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP
Acting Division Director
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.3177(2) AND (3),
FLORIDA STATUTES
DCA DOCKET NO. 31-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Indian River County, Fellsmere, Sebastian, Vero Beach and the Indian River County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Indian River County BCC; 1840 25th Street; Vero Beach, Florida 32960-3365.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Indian River County, Fellsmere, Sebastian, Vero Beach and the Indian River County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230

Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP
Acting Division Director
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

DCA Final Order No.: DCA03-OR-256
STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: POLK COUNTY LAND DEVELOPMENT CODE
ADOPTED BY POLK COUNTY
ORDINANCE NO. 03-24

FINAL ORDER

The Department of Community Affairs (“Department”) hereby issues its Final Order, pursuant to Section 380.05(6) and (11), Fla. Stat., (2002), approving Polk County Ordinance No. 03-24, as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.

2. On July 29, 2003, the Department received for review Polk County Ordinance No. 03-24 (“Ordinance”), which was adopted by the Board of County Commissioners of Polk County. The Ordinance was adopted on March 19, 2003. The Ordinance amends the Polk County Development Code by adding Section 225, Maintenance of Commercial, Office, and Industrial Structures and Premises.

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. Section 380.05(6) and (11), Fla. Stat.

5. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Fla. Stat. and Rule Chapter 28-26, Fla. Admin. Code.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Fla. Stat. The regulation adopted by the Ordinance is a land development regulation.

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), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").

8. The Ordinance is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code.

WHEREFORE, IT IS ORDERED that Ordinance No. 03-24 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 September, 2003.

Paula Ford, Agency Clerk

By U.S. Mail:

The Honorable Randal L. Wilkinson
Chairman, Polk County Commission
P. O. Box 9005, Drawer BC01
Bartow, FL 33831

Peter Brown
Director of Planning
P. O. Box 9005, Drawer CS06
Bartow, FL 33831

DCA Final Order No.: DCA03-OR-257

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: POLK COUNTY LAND DEVELOPMENT CODE
ADOPTED BY POLK COUNTY
ORDINANCE NO. 03-25

FINAL ORDER

The Department of Community Affairs ("Department") hereby issues its Final Order, pursuant to Section 380.05(6) and (11), Fla. Stat., (2002), approving Polk County Ordinance No. 03-25, as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.

2. On July 29, 2003, the Department received for review Polk County Ordinance No. 03-25 ("Ordinance"), which was adopted by the Board of County Commissioners of Polk County. The Ordinance was adopted on March 19, 2003. The Ordinance amends the Polk County Development Code by amending Section 760 to reflect the code regulations pertaining to government signs, maintenance of requirements for signs, temporary subdivision signs, and neighborhood signs, and by amending Chapter 10, Definitions, to include a definition for "Neighborhood" and "Neighborhood Sign."

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. Section 380.05(6) and (11), Fla. Stat.

5. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Fla. Stat. and Rule Chapter 28-26, Fla. Admin. Code.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Fla. Stat. The regulation adopted by the Ordinance is a land development regulation.

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), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").

8. The Ordinance is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code.

WHEREFORE, IT IS ORDERED that Ordinance No. 03-25 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 September, 2003.

Paula Ford, Agency Clerk

By U.S. Mail:
The Honorable Randal L. Wilkinson
Chairman, Polk County Commission
P. O. Box 9005, Drawer BC01
Bartow, FL 33831

Peter Brown
Director of Planning
P. O. Box 9005, Drawer CS06
Bartow, FL 33831

DCA Final Order No.: DCA03-OR-254
STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: MONROE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY MONROE
COUNTY
ORDINANCE NO. 026-2003

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 a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On July 17, 2003, the Department received for review Monroe County Ordinance No. 025-2003 which was adopted by the Monroe County Board of County Commissioners on June 18, 2003 (“Ord. 026-2003”). The purpose of Ord. 026-2003 is to amend Section 9.5-268, Existing Residential Dwellings, to permit residential structures legally established before January 4, 1996 to be considered legal residential structures and to permit improvements to those structures.

3. Ord. 026-2003 is consistent with the County’s 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2002).

5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

6. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2002). The regulations adopted by Ord. 026-2003 are land development regulations.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

8. Ord. 026-2003 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(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.

(l) 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.

9. Ord. 026-2003 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 026-2003 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.

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 September 2003.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Dixie Spehar
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Timothy J. McGarry, AICP
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

NOTICE OF APPROVAL FOR
FLORIDA FOREVER FUNDS

The Florida Communities Trust ("Trust") reviewed and approved project plans for land acquisition projects submitted under the Florida Forever Program, Series FF2 funding cycle. The project 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: 02-022-FF2/Last Cypress West
Grantee: Broward County and the City of Lauderdale Lakes
Amount of Approved Funds: the lesser of 40.00% of the final total project costs or \$338,200.00

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, DaimlerChrysler Motors Company, LLC, intends to allow the establishment of Tamiami Automotive Group West Kendall, LLP d/b/a Tamiami Chrysler Jeep Dodge West Kendall LLP, d/b/a Tamiami Chrysler Jeep Dodge West Kendall as a dealership for the sale of new Chrysler Jeep and Dodge motor vehicles at a location in the City of Miami, Miami-Dade County, Florida, which is located at the Northeast corner of Southwest 137th Avenue and Southwest 136th Street on or after December 1, 2003. The legal description of this property is as follows:

Tract C, less the West 35.00 feet of the North 25.00 feet thereof, of KENDALL AIRPORT CENTER, according to the Plat thereof as recorded in Plat Book 134, Page 51, of the Public Records of Miami-Dade County, Florida.

AND

Lots 8, 9, 10, and 11, of Block 2, of KENDALL AIRPORT PARK REPLAT, according to the Plat thereof as recorded in Plat Book 142, Page 77, of the Public Records of Miami-Dade County, Florida.

The name and address of the dealer operator(s) and principal investor(s) of Tamiami Automotive Group West Kendall, LLP d/b/a Tamiami Chrysler Jeep Dodge West Kendall LLP d/b/a Tamiami Chrysler Jeep Dodge West Kendall are dealer operator(s): Carlos Planas, 8250 South West 8th Street, Ft. Lauderdale, FL 33144; principal investor(s): Carive Properties II, Inc., 8250 S. W. 8th Street, Miami, FL 33144, Orofino Holdings II, S. A., 4678 N. W. 103rd Court, Miami, FL 33178.

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: G. E. Nevers, Dealer Network Development Manager, 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 More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Triumph Motorcycles (America) Ltd., intends to allow the establishment of Con's Cycle Center, Inc. d/b/a House of Power, as a dealership for the sale of Triumph motorcycles, at 4515 Babcock St., N. E., Palm Bay (Brevard County), Florida 32905, on or after June 30, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Con's Cycle Center, Inc. d/b/a House of Power are dealer operator(s) and principal investor(s): Glenn Sandler, 4515 Babcock St., N. E., Palm Bay, FL 32905.

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: Michael Lashley, Dealer Development, Triumph Motorcycles (America) Ltd., 385 Walt Sanders Memorial Drive, Suite 100, Newnan, GA 30265.

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 Harley-Davidson Motor Company, intends to allow the establishment of Corpin Corporation, Inc. d/b/a Harley-Davidson of Port Charlotte d/b/a Buell of Port Charlotte as a dealership for the sale of Harley-Davidson and Buell motorcycles, at El Jobean Road, Port Charlotte, (Charlotte County), Florida on or after June 1, 2004. The legal description of this property is as follows:

The proposed dealership will be located at El Jobean Road (State Road 776), Port Charlotte, Charlotte County, Florida, approximately .06 miles west of the intersection of El Jobean Road and Torrence Street, which is more particularly described as follows: Lots 1, 2, 3, 4, Block 3318, Port Charlotte Subdivision, Section 46, a subdivision according to the Plat thereof, as recorded in Plat Book 5, pages 57A through 57D and lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 3319, Port Charlotte Subdivision, Section 46, A Subdivision according to the Plat thereof, as recorded in Plat Book 5, pages 57A through 57D and vacated Wooster Street.

The name and address of the dealer operator(s) and principal investor(s) of Corpin Corporation, Inc. d/b/a Harley-Davidson of Port Charlotte d/b/a Buell of Port Charlotte are dealer operator(s): Al Corricelli, 512 S. W. 53rd Terrace, Cape Coral, FL 33914; principal investor(s): Armand Pinard, 1114 S. E. 23rd Street, Cape Coral, FL 33990 and Al Corricelli, 512 S. W. 53rd Terrace, Cape Coral, FL 33914.

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: Shelly Doolittle, Dealer Development Operations Coordinator, Harley Davidson Motor Company, 3700 West Juneau Ave., P. O. Box 653, Milwaukee, WI 53201.

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

The Agency for Health Care Administration has received an application for services exemption from Pan American Hospital, Miami, Florida pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The service category for which the exemption is requested is otorhinolaryngology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mailing Julio Gonzalez, Hospital and Outpatient Services Unit, gonzalezj@fdhc.state.fl.us.

The Agency for Healthcare Administration has received an application for services exemption from Glades General Hospital, Belle Glade, Florida pursuant to Section 395.1041 (3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The services categories which the exemptions are requested are: neurology, infectious disease, general surgery, gastroenterology, orthopedic surgery, podiatry, and pulmonary services. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mailing: Sonya Longfellow, Hospital and Outpatient Services Unit, longfels@fdhc.state.fl.us.

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>. Logbooks in Residential and Correctional Facilities (department-wide policy type B) – requires programs to maintain a permanent, bound logbook to record routine information, emergency situations and incidents. This is the second posting of the policy for a 20 working day review and comment period, with the matrix of comments from the first posting also at the above Website.

The following ten policies are initial postings for the first of two - 20 working day review and comment periods of existing, previously approved policies from the Office of Detention Services. (The policies had been approved as program policies – type C, but are now classified as department-wide type B policies.) The policies are: Facility Administration (FDJJ 4010); Security (FDJJ 4020); Booking (FDJJ 4030); Security (FDJJ 4040); Officer and Detainee Interaction (FDJJ 4050); Detainee Behavior and Consequences (FDJJ 4060); Detainee Rights (FDJJ 4070); Detainee Daily Activities (FDJJ 4080); Written Communication (FDJJ 4090); and Statewide Transportation Offender Policy (FDJJ 5000).

All policies except Statewide Transportation Offender Policy (FDJJ 5000) impact Detention Services only. FDJJ 5000 impacts Detention Services as well as the Offices of Residential and Correctional Facilities and Probation and Community Corrections.

Please submit comments to the contact person identified on the above Website. The closure date for submission of comments on all of the above policies is October 1, 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 September 9, 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 Julio Guerline, C.N.A., certificate number 9000010782. 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 September 4, 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 Jean Daniel, C.N.A., certificate number CAN 0999000002449. 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 September 4, 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 Tina Barnes, LPN, license number PN 1287841. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received the following applications. Comments may be submitted to the Deputy Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in 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., October 10, 2003):

**APPLICATION TO CONVERT A FEDERAL SAVINGS
AND LOAN ASSOCIATION TO A STATE CHARTER**

Applicant and Location: First Bradenton Bank, FSB,
Bradenton, Manatee County, Florida

With Title: First Bradenton Bank

Correspondent: Lloyd W. Geiger, Senior Vice President, 5305
26th Street West, Bradenton, Florida 34207

Received: September 4, 2003

**APPLICATION FOR CONVERSION OF AN
INTERNATIONAL AGENCY OFFICE TO AN
INTERNATIONAL BRANCH OFFICE**

Applicant and Location: Bank Hapoalim B.M., 201 S.
Biscayne Boulevard, Suite 1320, Miami, Florida 33131

Correspondent: Bowman Brown, Shutts & Bowen LLP, 1500
Miami Center, 201 South Biscayne Boulevard, Miami, Florida
33131

Received: September 5, 2003

**APPLICATION FOR A NEW
FINANCIAL INSTITUTION**

Applicant and Proposed Location: American Enterprise Bank
of Florida, Suite 100, 4655 Salisbury Road, Jacksonville,
Florida 32256

Correspondent: Bennett Brown, 3007 Forest Circle,
Jacksonville, Florida 32257

Received: September 9, 2003

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN September 2, 2003
 and September 5, 2003**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF INSURANCE

4-143.007	9/2/03	9/22/03	29/18	
4-143.008	9/2/03	9/22/03	29/18	
4-143.015	9/2/03	9/22/03	29/18	
4-154.112	9/2/03	9/22/03	29/16	29/29
4-163.0045	9/2/03	9/22/03	29/16	29/29
4-189.003	9/2/03	9/22/03	29/18	

DEPARTMENT OF EDUCATION

State Board of Education

6A-1.09941	9/2/03	9/22/03	29/29	
6A-10.024	9/2/03	9/22/03	29/29	

University of West Florida

6C6-6.0055	9/3/03	9/23/03	Newspaper	
6C6-6.0057	9/3/03	9/23/03	Newspaper	
6C6-6.0058	9/3/03	9/23/03	Newspaper	

DEPARTMENT OF CORRECTIONS

33-601.401	9/3/03	9/23/03	29/31	
33-602.101	9/3/03	9/23/03	29/30	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

61G17-3.004	9/5/03	9/25/03	29/4	29/31
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-204.800	9/2/03	10/1/03	29/32	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH

Board of Acupuncture

64B1-2.001	9/3/03	9/23/03	29/31	
64B1-2.007	9/3/03	9/23/03	29/31	
64B1-4.002	9/3/03	9/23/03	29/31	
64B1-5.001	9/3/03	9/23/03	29/31	
64B1-5.002	9/3/03	9/23/03	29/31	
64B1-5.004	9/3/03	9/23/03	29/31	
64B1-5.005	9/3/03	9/23/03	29/31	
64B1-5.006	9/3/03	9/23/03	29/31	
64B1-5.007	9/3/03	9/23/03	29/31	
64B1-5.008	9/3/03	9/23/03	29/31	
64B1-5.009	9/3/03	9/23/03	29/31	

Board of Medicine

64B8-30.011	9/5/03	9/25/03	29/30	
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Board of Nursing

64B9-3.002	9/3/03	9/23/03	29/29	
64B9-3.008	9/3/03	9/23/03	29/29	

Board of Pharmacy

64B16-28.450	9/3/03	9/23/03	28/52	29/13
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FLORIDA HOUSING FINANCE CORPORATION

67-37.002	9/2/03	9/22/03	29/26	29/32
67-37.003	9/2/03	9/22/03	29/26	
67-37.005	9/2/03	9/22/03	29/26	
67-37.006	9/2/03	9/22/03	29/26	
67-37.007	9/2/03	9/22/03	29/26	29/32
67-37.008	9/2/03	9/22/03	29/26	29/32
67-37.010	9/2/03	9/22/03	29/26	
67-37.011	9/2/03	9/22/03	29/26	
67-37.015	9/2/03	9/22/03	29/26	29/32
67-37.016	9/2/03	9/22/03	29/26	29/32