

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

**DEPARTMENT OF STATE**

**Division of Elections**

RULE CHAPTER TITLE: Elections  
 RULE CHAPTER NO.: 1S-2

RULE TITLES: Provisional Ballots  
 RULE NO.: 1S-2.037

PURPOSE AND EFFECT: Development of a rule and a provisional ballot envelope form as required by changes in Florida Law.

SUBJECT AREA TO BE DISCUSSED: Development of the content and form of the provisional ballot envelope to be used in the state.

SPECIFIC AUTHORITY: 101.048 FS.

LAW IMPLEMENTED: 101.048, 101.049 FS.

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

TIME AND DATE: 1:00 p.m., Monday, December 1, 2003

PLACE: Room 102, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Sarah Jane Bradshaw, Division of Elections, Department of State, 107 West Gaines Street, Tallahassee, Florida 32399-0250, (850)245-6200

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should advise the Department at least 5 calendar days before the hearing, by contacting Sarah Jane Bradshaw or Marielba Torres at (850)245-6200.

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

**DEPARTMENT OF STATE**

**Division of Elections**

RULE CHAPTER TITLE: Elections  
 RULE CHAPTER NO.: 1S-2

RULE TITLES: HAVA Violations – Complaints  
 RULE NO.: 1S-2.038

PURPOSE AND EFFECT: The Florida Help America Vote Act Implementation Bill required that the Division of Elections prescribe a form for complaints filed under section 97.028, F.S. A rule needs to be promulgated to prescribe the aforementioned form and create a process by which the Division will process these types of complaints.

SUBJECT AREA TO BE DISCUSSED: Development of a rule and a complaint form for HAVA Title III Violations.

SPECIFIC AUTHORITY: 97.028 FS.

LAW IMPLEMENTED: 97.028 FS.

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

TIME AND DATE: 1:00 p.m., Monday, December 1, 2003

PLACE: Room 102, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sarah Jane Bradshaw, Division of Elections, Department of State, 107 West Gaines Street, Tallahassee, Florida 32399-0250, (850)245-6200

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should advise the Department at least 5 calendar days before the hearing, by contacting Sarah Jane Bradshaw or Marielba Torres, (850)245-6200.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. THE PRELIMINARY DRAFT FORM IS AVAILABLE FROM THE DIVISION OF ELECTIONS' WEBSITE, OR BY CONTACTING MARIELBA TORRES.

**DEPARTMENT OF INSURANCE**

RULE TITLES:	RULE NOS.:
Group Conversion Premium	4-149.203
Outline of Coverage	4-149.204
Indemnity Standard Risk Rates	4-149.205
Preferred Provider/Exclusive Provider Standard Risk Rates	4-149.206
Health Maintenance Organization Standard Risk Rates	4-149.207

PURPOSE AND EFFECT: Rule Chapter 4-149 Part X governs group conversion rates. Section 627.6675, F.S., requires that the Office annually survey the market and publish the standard risk rates representing the average of 80 percent of the market. The rates are published for a particular benefit design. This design is the state mandated "standard" plan. With the adoption of the new standard plans this year effective April 1, 2003, the rule is also being amended to provide maximum group conversion rates for that plan design.

SUBJECT AREA TO BE ADDRESSED: Group conversion rates; state mandated standard plans.

SPECIFIC AUTHORITY: 624.308, 627.410(6)(b), 627.6675(3)(c) FS.

LAW IMPLEMENTED: 624.307(1), 627.410(6)(a), 627.6498(4), 627.6675(3), 641.3922(3) 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., November 24, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Frank Dino, Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0328, (850)413-5014, e-mail: dinof@dfs.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT MAY BE OBTAINED BY E-MAIL FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE CHAPTER TITLE: Certification and Employment  
 RULE CHAPTER NO.: 11B-27

or Appointment  
 RULE TITLE: Moral Character  
 RULE NO.: 11B-27.0011

PURPOSE AND EFFECT: To expand and clarify the definition of moral character violations, to allow "recantation" to be a defense in certain circumstances, and to clarify the method used by staff to decide to initiate a presentation of a case for determination of probable cause.

SUBJECT AREA TO BE ADDRESSED: Probable cause determination for alleged moral character violations by officers.

SPECIFIC AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12(7), 943.1395(7) FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, November 25, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Grace A. Jaye, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

11B-27.0011 Moral Character.

(1) through (3) No change.

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

(c) The perpetration by an officer of acts or conduct that constitute the following offenses:

1. through 6. No change.

7. Conduct that subverts or attempts to subvert the State Officer Certification Examination process pursuant to Rule subsections 11B-30.009(1)-(3), F.A.C.

8. through 12. No change.

13. Neglect or refusal to aid correctional officers.

14. Intentional abuse of a Temporary Employment Authorization.

(d) No change.

(5) Recantation, pursuant to Section 837.07, F.S., shall be a defense to any violation, involving perjury or a false statement, pursuant to subsection (4) of this rule section.

~~(6)(5) The employing agency shall forward to the Commission the agency's investigative report pursuant to procedures established in Rule 11B-27.003, F.A.C., when an allegation has been made that an officer has failed to maintain good moral character, as defined in subsection (4) of this rule section, and has been sustained by the employing agency, or an act of conduct by the officer has resulted in the officer's arrest. The report shall be forwarded immediately upon separation of the officer from employment, or, if the officer is not separated from employment, within 45 days from the date an allegation has been sustained, as set forth in this rule section.~~

~~The employing agency shall forward to the Commission the agency's investigative report pursuant to procedures established in Rule 11B-27.003, F.A.C., when an allegation has been made that an officer has failed to maintain good moral character, as defined in subsection (4) of this rule section, and has been sustained by the employing agency, or an act of conduct by the officer has resulted in the officer's arrest. The report shall be forwarded immediately upon separation of the officer from employment, or, if the officer is not separated from employment, within 45 days from the date an allegation has been sustained, as set forth in this rule section.~~

(7)(6) Commission staff's decision to initiate presentation of a case for a Probable Cause Determination shall be based upon the following conditions.

~~Commission staff's decision to initiate a Commission Probable Cause Determination shall be based upon the following conditions:~~

(a) Whether the allegations against the officer constitute a violation of subsection (4) of this rule section or Section 943.13(4), F.S.: The severity of the violation

~~(b) Whether there is evidence of probable cause to support the filing of a complaint; and The existence of any pecuniary benefit realized by the officer as a result of the misconduct.~~

~~(c) Whether a Letter of Acknowledgement is warranted pursuant to subsections 11B-27.004(7)-(10), F.A.C. Evidence of any intent by the officer to harm, deceive, or defraud.~~

~~(d) In cases involving false statements the materiality of the false statements.~~

~~(e) The disciplinary action taken by the employing agency.~~

~~(f) Previous disciplinary action or acknowledgement taken by the Criminal Justice Standards.~~

~~(8)(7) Forms referenced in this rule chapter may be obtained on the following web site: [http://www.fdle.state.fl.us/CJST/rules\\_and\\_policies/forms/index.html](http://www.fdle.state.fl.us/CJST/rules_and_policies/forms/index.html) by contacting the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302-1489, Attention: Bureau of Standards, Forms Liaison.~~

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.1395(7) FS. History—New 1-7-85, Formerly 11B-27.011, Amended 7-13-87, 10-25-88, 12-13-92, 9-5-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 11-5-02, \_\_\_\_\_.

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE CHAPTER TITLE: Certification and Employment  
 RULE CHAPTER NO.: 11B-27

or Appointment

RULE TITLE: Probable Cause Determination  
 RULE NO.: 11B-27.004

PURPOSE AND EFFECT: To clarify the use of the Letter of Acknowledgement in the Commission discipline process.

SUBJECT AREA TO BE ADDRESSED: Officer discipline.

SPECIFIC AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.1395 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, November 25, 2003

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPEMNT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Grace A. Jaye, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

11B-27.004 Probable Cause Determination.

At the conclusion of the preliminary investigation and when the reports and documents are received as directed by Sections 943.139 and 943.1395, F.S., a determination of probable cause shall be made before the Commission initiates proceedings to take disciplinary action against the certification of an officer.

(1) through (3) No change.

(4) After considering all evidence, a majority vote of the Probable Cause Panel shall determine whether or not probable cause exists to file an administrative complaint pursuant to Section 120.60(5), F.S., charging a violation of Chapter 943, F.S., or Rule Chapter 11B-27, F.A.C. If the case is presented for imposition of a penalty, the Panel is authorized to make a penalty recommendation to the Commission, or to direct Commission staff to offer a settlement agreement in the case.

(5) through (8) No change.

(9) Commission staff.

(a) Shall not issue a Letter of Acknowledgement to a respondent who has been issued a Letter of Acknowledgement within three years prior to the date of receipt of the information described in paragraph 11B-27.003(2)(b), F.A.C.

(b) Shall not issue a Letter of Acknowledgement to a respondent who has been issued a Letter of Guidance within five years prior to the date of receipt of the information described in paragraph 11B-27.003(2)(b), F.A.C.

(c) Shall not issue a Letter of Acknowledgement to a respondent who has been disciplined by the Commission within eight years prior to the receipt of the information described in paragraph 11B-27.003(2)(b), F.A.C.

(9) through (13) renumbered (10) through (14) No change.

Specific Authority 943.03(4), 943.12(1), 943.1395 FS. Law Implemented 943.1395 FS. History—New 12-13-92, Amended 1-19-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 11-5-02, \_\_\_\_\_.

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE CHAPTER TITLE: Certification and Employment  
 RULE CHAPTER NO.: 11B-27

or Appointment

RULE TITLE: Revocation or Disciplinary Actions;  
 RULE NO.: 11B-27.005

Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: To update and streamline the officer discipline process.

SUBJECT AREA TO BE ADDRESSED: Officer discipline.

SPECIFIC AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12(3), 943.1395(8) 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, November 25, 2003  
 PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Conference Room, 3rd Floor, Quad C, Tallahassee, FL

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Grace A. Jaye, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) Pursuant to the provisions of Section 943.1395(8), F.S., disciplinary proceedings shall be conducted as prescribed in Chapter 120, F.S., Administrative Procedures Act, and Rule Chapter 28, F.A.C., Uniform Rules of Procedure, when there is a determination of probable cause that a certificate holder, hereinafter referred to as a "certified officer," has failed to maintain compliance with: Pursuant to Section 943.1395(8), F.S., should there be a determination of probable cause that a certificate holder, hereinafter referred to as a "certified officer," has failed to maintain compliance with Section 943.13(4) or (7), F.S., or has failed to comply with a lawful order of the Commission previously entered in a disciplinary hearing, the Commission's revocation or disciplinary proceedings shall be conducted pursuant to Chapter 120, F.S., Administrative Procedure Act, and Chapter 28, F.A.C., the Uniform Rules of Procedure.

(a) Section 943.13(4) or (7), F.S.: or,

(b) An order of the Commission previously issued during a disciplinary hearing; or,

(c) The Temporary Employment Authorization requirements (TEA) pursuant to Section 943.131, F.S.

(4)(a) The Commission sets forth in paragraphs (5)(a)-(d), of this rule section, a range of disciplinary guidelines from which disciplinary penalties shall be imposed upon certified officers who have been found by the Commission to have violated Section 943.13(7), F.S. The purpose of the disciplinary guidelines is to give notice to certified officers of the range of penalties or prescribed penalties that shall be

imposed for particular violations of Section 943.13(7), F.S., absent aggravating or mitigating circumstances, as provided in subsection (6) of this rule section. The disciplinary guidelines are based upon a "single count violation" of each provision listed. All penalties at the upper range of the sanctions set forth in the guidelines (i.e., suspension or revocation), include lesser penalties (i.e., reprimand, remedial training, or probation), that may be included in the final penalty at the Commission's discretion.

(b) In determining a penalty that may be imposed by the Commission, when a penalty guideline recommendation includes "suspension," the Commission is authorized to consider the number of days of employment suspension imposed upon the officer by the employing agency for retroactive or parallel inclusion in the length of a certification suspension imposed by the Commission. When a penalty guideline recommendation includes "prospective suspension," no such inclusion is authorized.

(5) No change.

(a) For the perpetration by the officer of an act that would constitute any felony offense, pursuant to paragraph 11B-27.0011(4)(a), F.A.C., but where there was not a violation of Section 943.13(4), F.S., the action of the Commission shall be to impose a penalty ranging from suspension of certification to revocation. Specific violations and penalties that shall be imposed, absent mitigating circumstances, include the following:

Violation:	Recommended Penalty Range:
1. Aggravated assault (784.021, F.S.)	<u>Prospective suspension to</u> <u>Revocation</u>
2. Aggravated battery (784.045, F.S.)	<u>Prospective suspension to</u> <u>Revocation</u>
3. through 5. No change.	
6. Introduction of contraband into a jail or prison (944.47 and 951.22, F.S.) <u>involving a firearm, concealed weapon, controlled substance, currency, or a tool or implement useful in an attempt to escape from custody</u>	Revocation
7. No change.	
8. False Statements (837.02, 837.021, 837.05(2), F.S.)	<u>Prospective suspension to</u> <u>Revocation</u>

(b) For the perpetration by the officer of an act that would constitute any of the misdemeanor offenses, pursuant to paragraph 11B-27.0011(4)(b), F.A.C., but where there was not a violation of Section 943.13(4), F.S., the action of the Commission shall be to impose a penalty ranging from probation of certification to suspension of certification.

Specific violations and penalties that shall be imposed, absent aggravating or mitigating circumstances, include the following:

Violation:	Recommended Penalty Range:
1. through 3. No change.	
4. False reports and statements (817.49, 837.012, 837.05(1), 837.06, 944.35, F.S.)	<u>Prospective suspension to r</u> evocation
5. through 7. No change.	
8. Prostitution or lewdness (796.07, F.S.)	<u>Prospective suspension to r</u> evocation
9. through 12. No change.	

(c) For the perpetration by the officer of an act or conduct, as described in paragraph 11B-27.0011(4)(c), F.A.C., if such act or conduct does not constitute a crime described in paragraphs (5)(a)-(b) of this rule section, the action of the Commission shall be to impose the following penalties, absent aggravating or mitigating circumstances:

Violation:	Recommended Penalty Range:
1. through 4. No change.	
5. Unprofessional relationship with an inmate, detainee, probationer or parolee, or community controlee <u>that subsequently impairs the officer's ability to perform necessary duties and responsibilities fairly and objectively or that jeopardizes the security of the correctional institution.</u>	Revocation
6. <u>Other unprofessional relationship with an inmate, detainee, probationer or parolee, or community controlee</u>	<u>Probation of certification with training to suspension</u>
<del>7.6.</del> False statements during the employment application process	Suspension of certification to revocation
<del>8.7.</del> Subverting the State Officer Certification Examination Process	Revocation
<del>9.8.</del> Subverting Commission-approved training or employing agency promotional examination process	Suspension of certification to revocation

~~10.9.~~ Any overt, conspicuous, or public act of a sexual or simulated sexual nature which is likely to be observed by others

Suspension of certification to revocation

~~11.10.~~ Willful failure of the agency administrator to comply with Chapter 943, F.S., as it pertains to the Commission or Commission rules

Suspension of certification to revocation

~~12.11.~~ Making a false statement(s) of fact, under oath, as to misconduct related to an agency duty, as defined in subparagraph 11B-27.0011(4)(c),(12), F.A.C., with the intent to mislead or deceive

Suspension of certification to revocation

~~13.12.~~ Conduct that subverts or attempts to subvert the Basic Abilities Test process pursuant to paragraphs 11B-35.0011(1)(a)-(e), F.A.C.

Revocation

(d) Notwithstanding subsection (4) of this rule section, for the unlawful use by a certified officer of any controlled substances specified in Section 893.13, F.S., or Rule 11B-27.00225, F.A.C., pursuant to paragraph 11B-27.0011(4)(d), F.A.C., the action of the Commission, absent clear and convincing evidence of complete rehabilitation and substantial mitigating circumstances, shall be to impose a penalty ranging from prospective suspension to ~~of~~ revocation.

(6) The Commission shall be entitled to deviate from the disciplinary guidelines in this rule section, upon a showing of aggravating or mitigating circumstances by evidence presented to the Commission, if pursuant to Section 120.57(2), F.S., or to an Administrative Law Judge, if pursuant to Section 120.57(1), F.S., prior to the imposition of a final penalty. The Commission shall base a deviation from the disciplinary guidelines upon a finding of one or more of the following:

- (a) Aggravating circumstances:
  1. through 3. No change.

4. The number and severity of prior disciplinary actions taken against the certified officer by the Commission, provided the officer was previously disciplined by the Commission within the preceding eight years or received a Letter of Guidance within the preceding five years to include a prior Letter of Guidance or Letter of Acknowledgment.

5. through 11. No change.

12. Whether the certified officer has previously received a Letter of Acknowledgment within the preceding three years.

(b) Mitigating circumstances:

1. through 6. No change.

7. The recommendation of a Probable Cause Panel to impose a penalty below the penalty guideline.

8. Effort of the officer to recant a false statement in a timely manner, but outside of the limits of Section 837.07, F.S.

(7) through (9) No change.

(10) Temporary Employment Authorization (TEA). Individuals employed on a TEA, pursuant to Section 943.131, F.S., are subject to the following discipline by the Commission:

(a) If the Commission issues a probationary period to an individual employed on a TEA, such individual shall be eligible for certification pending successful completion of the terms and conditions of the probationary period.

(b) If the Commission issues a suspension period to an individual employed on a TEA, such individual shall not be eligible for certification until the completion of the suspension period.

(c) If an individual commits a revocable offense the Commission shall deny the individual's request for certification.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.1395(8) FS. History--New 10-6-82, Amended 1-7-85, Formerly 11B-27.05, Amended 3-29-89, 12-13-92, 2-17-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, \_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE: State Highway System  
RULE CHAPTER NO.: 14-96

Connection Permits  
RULE TITLE: Connection Categories and Fees  
RULE NO.: 14-96.004

PURPOSE AND EFFECT: Rule Section 14-96.004(2)(b), F.A.C., is being amended as a further clarification in response to Joint Administrative Procedures Committee review of a recent amendment to Rule Chapter 14-96, F.A.C.

SUBJECT AREA TO BE ADDRESSED: This amendment to paragraph 14-96.004(2)(b), F.A.C., is a follow up amendment for clarification of changes made in response to the Joint Administrative Procedures Committee review of another amendment to Rule Chapter 14-96, F.A.C.

SPECIFIC AUTHORITY: 334.044(2), 335.182(2), 335,183, 335.184 FS.

LAW IMPLEMENTED: 334.044(14), 335.18-.187 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, Management Analyst 4, 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:

14-96.004 Connection Categories and Fees.

All connections, public or private, shall be determined by the Department to be in one of the following categories:

(1) No change.

(2) Special Connection Categories.

(a) "Temporary Connection Category" provides a temporary, time limited connection to the State Highway System for a specific property, use, and estimated traffic volume. Such uses may include forest land clearing and temporary agricultural or construction uses. This category may not be used for permanent construction at a site where it is reasonably expected that the use is the ultimate use of the property. Further, a temporary connection permit does not bind the Department in any way to the future issuance of a permanent connection permit at the temporary connection location. The permittee shall remove, at the permittee's own cost, the temporary connection at the end of the permit period or shall apply for an extension or a new permit. The fee for this category is \$250 for a six month period. The period will be extended for increments of six months upon written request, payment of a new fee, and a showing of good cause, such as weather delays, natural disasters, governmental entity coordination delays, or other technical problems not within the control of the applicant. However, in no event shall the period extend beyond 24 consecutive months. The Department reserves the right to remove any temporary connection upon expiration of the permit.

(b) A "Government Entity Category" provides for a connection or connection modification for any new or substantially improved public road or connection to a governmental facility. The fee will be waived if the applicant is a governmental entity. ~~If the fee is not waived, then the fee shall be based on the fee schedule in Rule 14-96.004(1), F.A.C., using expected Average Daily Traffic for the Category determination.~~

(c) "Safety Upgrade Category" shall not be used for connections involving significant change. These applications shall be initiated by the applicant and will not require a fee.

(3) through (4) No change.

Specific Authority 334.044(2), 335.182(2), 335.183, 335.184 FS. Law Implemented 334.044(14), 335.18-.187 FS. History—New 4-18-90, Amended 7-16-95, 1-23-03, \_\_\_\_\_.

**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.”

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Chaplaincy Services  
 RULE NO.: 33-503.001

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the line of authority for institutional chaplains.

SUBJECT AREA TO BE ADDRESSED: Chaplaincy.

SPECIFIC AUTHORITY: 944.09, 944.11 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.11 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-503.001 Chaplaincy Services.

(1) Organization and Functions.

(a) through (b) No change.

(c) The Chaplain of each institution is directly responsible to the assistant warden of programs area ~~Chaplaincy services specialist~~ and coordinates activities with the institution’s security staff. He plans, coordinates and supervises all religious activities and services at the institution. He is responsible for the moral and spiritual well-being of all inmates, including the non-religious.

(2) through (12) No change.

Specific Authority 944.09, 944.11 FS. Law Implemented 20.315, 944.09, 944.11 FS. History—New 1-6-82, Formerly 33-3.14, 33-3.014, Amended 10-18-01, 1-9-03, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Probation and Restitution Centers  
 RULE NO.: 33-504.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify operations of probation and restitution centers and to provide for center management and supervision by contracted community-based providers.

SUBJECT AREA TO BE ADDRESSED: Probation and restitution centers.

SPECIFIC AUTHORITY: 944.026, 921.187, 948.03, 958.04 FS.

LAW IMPLEMENTED: 944.026, 921.187, 948.03, 958.04 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-504.101 Probation and Restitution Centers.

(1) General Policy.

(a) Probation and restitution centers are medium intensity short-term residential facilities that which provide the courts with an alternative to committing offenders to correctional institutions or county jails more secure correctional institutions and provide assistance in the supervision of probationers and community controllees. The centers provide a structured community-based program that assists offenders on probation and community control to develop the skills needed to facilitate their compliance with the conditions of supervision by emphasizing self-discipline, structure, and employment. The probation and restitution center program also provides transitional housing and services to recently released (within the previous 90 days) inmates in need of such to effect a successful re-entry to the community following release from incarceration. The centers provide a controlled setting within which designed to prepare offenders are assisted in obtaining meaningful, gainful employment, meeting their obligations to make restitution to their victims, and increasing their chances of successfully completing their period of for advancement or return to community supervision and for eventual release from supervision.

(b) Probation and restitution centers house and provide services to felony probationers, and community controllees and offenders who have been ordered to participate in and complete the probation and restitution center program as a special condition of supervision or who have violated their terms or conditions of supervision and felony offenders assigned to pretrial intervention programs. The program also houses and provides services to recently released inmates in need of transition services. These offenders reside in the centers while working, receiving treatment or attending school. Probation and restitution centers also provide out-patient substance abuse services, as needed, for offenders

court-ordered to participate in the program and released inmates counseling for persons on felony probation or community control.

(c) The Bureau of Community Programs, within the Office of Community Corrections Program Services shall be responsible for the operation and contract management and operation of the probation and restitution centers.

(d) Contracted community-based providers ~~Each probation and restitution center major~~ shall be responsible for the management and supervision of the center, ~~for supervising the probation and restitution center officers,~~ and for ensuring the proper supervision, care and control of the center's offenders. Offenders who are court-ordered to participate in the probation and restitution center program will also be supervised by correctional probation officers who shall monitor offender compliance with the orders of supervision and report violations of such to the court of jurisdiction. The primary duty and responsibility of probation and restitution center officers is the care, supervision and control of the offenders at the center.

(2) Referrals. Offenders are referred to probation and restitution centers in the following manner:

(a) Referred directly from the courts as a result of the regular sentencing process with a special condition that the offender complete the probation and restitution center program prior to being placed in regular community probation or community control supervision.

(b) Referred by the courts after failing to satisfactorily comply with the conditions of make satisfactory progress on probation or community control supervision.

(c) Referred by the department's probation and parole services office when it is determined that more structured supervision and control is needed. Prior to Before making such this referral, a modification of the order of supervision adding a special condition that the offender participate in and complete the probation and restitution center program shall be obtained from the court.

(d) No change.

(e) Referred as a recently released (within the previous 90 days) inmate in need of transition services to facilitate re-entry to the community following release.

(3) Guidelines for Referrals. When determining contacted by the court regarding the appropriateness of committing an offender to a probation and restitution center, the department center staff shall consider the following guidelines in evaluating the case and making a recommendation. Individuals with the following characteristics shall be considered to be inappropriate for probation and restitution center referral, with consideration given to exceptional circumstances where noted:

(a) History of sex offenses, violence, arson or fire starting, Conviction for sexual battery pursuant to §794.011 F.S. or any other crime involving serious personal injury.

(b) Severe alcohol or drug addiction requiring detoxification services or crisis stabilization services (will be considered on an individual basis).

(c) Currently suicidal;

(d)(e) Physically unable to work or chronic medical condition resulting in severe debilitation.

(e)(d) Currently being treated with psychotropic medication (will be considered on an individual basis).

(f)(e) Convicted of Charged with a capitol or life felony pursuant to §775.081 F.S.

(g) Other limitation that the department determines would preclude service effectiveness.

(4) Referral Responsibilities.

(a) The correctional probation officers are responsible for assuring the probation and restitution center is included in the pre-sentence investigation or violation report as a possible alternative recommendation to imprisonment for eligible offenders when more structured control is needed than that which what regular probation or community control can provide.

(b) The correctional probation administrators in the judicial circuit where the center is located are responsible for assuring that cases are referred by the Department of Corrections when individuals who meet the eligibility criteria are identified as needing structured supervision as that provided in the centers.

(5) Intake.

(a) Offenders with special conditions requiring that they enter and successfully complete the probation and restitution center program or released inmates in need of transition services shall be placed on the waiting list if bed space is not immediately available. When bed space is available at the program, the offender shall be instructed to report to the facility. Transportation shall be the responsibility of the offender unless the offender is in jail. In such cases, the contractor shall coordinate transportation shall be coordinated by center staff with the county sheriff's department.

(b) The contractor's staff at the probation and restitution center and the supervising correctional probation officer shall be responsible for supervision, monitoring of case records and the general administration of the case.

(6) Revocation.

(a) The contractor's staff shall communicate with the supervising correctional probation officer regarding all aspects of the offender's participation in the program and status of compliance with all center rules and program participation requirements. The supervising correctional probation officer staff at the probation and restitution center shall be responsible for reporting violations of the conditions of supervision and program non-compliance, revocation recommendations and processes.



(b) Affidavit of Violation of Probation/Community Control forms shall be ~~approved and~~ initiated by the supervising correctional probation officer or designee, and approved by the officer's center supervisor or designee prior to submission to the court.

(7) Termination or Transfer from Program. Recommendations for termination, transfers or other types of removal from the program shall be a decision of the contractor made in consultation with the supervising correctional probation officer and the contract manager, with such recommendation presented to the court for final determination center staff. Offenders shall be considered for removal from the program for violation of the conditions of probation or community control, violation of a center regulation, inability to complete program requirements, or where such removal is deemed to be in the best interest of the offender, the department, or the community.

(8) Room and Board Fees.

(a) ~~If required by the contractor, employable~~ All offenders shall pay subsistence be charged room and board fees at the rate of \$8.00 per day beginning on the eighth day in they enter the program. Subsistence fees shall be collected and retained by the contractor. The department will not be responsible for collections of any unpaid subsistence fees.

(b) ~~The contractor shall assist offenders in opening and maintaining fiduciary accounts and shall monitor the account in accordance with generally accepted accounting principles. Payment shall be made on each offender's payday with these fees having first priority in meeting financial obligations.~~

(c) ~~Payments for room and board fees shall be made in the form of money orders, certified checks, or personal checks. No cash will be accepted and center staff are responsible for maintaining accurate and up-to-date records concerning these fees on an individual basis.~~

(d) ~~The offenders shall be responsible for their own funds with only financial counseling provided by the staff. In no cases are the staff authorized to hold offender funds in trust.~~

(9) Cost of supervision. Offenders in the probation and restitution center who are under the department's supervision shall be responsible for paying monthly supervision costs in accordance with guidelines for any other offender on probation probationer or community control controlee. ~~Payments shall be remitted directly to the probation and restitution center and then forwarded to the nearest state depository.~~

(10) Dress Code for Staff and Offenders.

(a) ~~The dress and appearance of all staff members at the centers shall be in accordance with rule 33-208.101 F.A.C.~~

(b) The offenders participating in the probation and restitution center program shall be well groomed and fully clothed including shirts and shoes at all times when not in sleeping quarters. Offenders shall adhere to Department subsection 33-602.101(11), F.A.C., regarding haircuts and shaving.

(11) Center Rules. Center rules governing conduct, program rules and regulations, and possible disciplinary actions shall be clearly posted in each center and all offenders are expected to maintain compliance. Explanation and clarification of center rules shall be part of the orientation program.

(12) Program Completion Requirements.

(a) through (b) No change.

(c) Suitable residential plan that has been approved by the contractor and the supervising correctional probation officer center personnel shall be required.

(d) No change.

(e) The offender sshall be making regular payments toward all other court-ordered financial obligations.

(f) Must have participated in each phase of the program for the served a minimum period of time required as outlined in the program service requirements by center operating procedures.

(g) Recommendations for graduation based on the above outlined criteria shall be made by the contractor in consultation with the supervising correctional probation officer offenders treatment team and approved by the major.

(13) Community Control. Offenders who participate in the are accepted into a probation and restitution center program as a condition of community control are subject to the rules of the center and the sanctions of community control including confinement to the center as their place of residence (house arrest).

(a) Caseloads of the contractor's staff shall be maintained at a level to ensure adequate supervision and delivery of services to offenders in the program. Offenders on community control shall also be supervised by correctional probation officers whose caseloads shall be are restricted to a maximum of 25 cases per officer to ensure an adequate level of staffing.

(b) Community control offenders controlees are restricted to the center except for those hours during which they are working at their approved place of regular employment, performing approved court-ordered public service work, or participating participation in self-improvement programs approved by the contractor and the supervising correctional probation officer, in accordance with the order of supervision center personnel.

(c) For offenders on community control, the probation and restitution center is the residence of confinement for house arrest. There is no such thing as "free time" or furloughs for offenders on community control controlees. Time away from the center shall be handled as for like any other offender on community control controlee and shall only be granted for a specific and legitimate purpose as specified in the order of supervision, or with court permission for specific and legitimate purposes not specified in the order of supervision. Some of these may be for limited shopping trips, essential personal or business matters, or necessary family visits.

~~Permission to be away from the center shall be given for activities occurring. These shall be given during daylight hours and for only the amount of time necessary to accomplish the purpose, as specified in the order of supervision or subsequent court order. For community controlees the probation and restitution center is the residence of confinement for house arrest.~~

Specific Authority 944.026, 921.187, 948.03, 958.04 FS. Law Implemented 944.026, 921.187, 948.03, 958.04 FS. History—New 10-26-92, Amended 9-4-95, Formerly 33-24.020, Amended 12-31-00, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Inmate Visiting – Definitions  
RULE NO.: 33-601.713

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the definition of ‘institutional classification team’ to correctly reflect the membership of the team.

SUBJECT AREA TO BE ADDRESSED: Institutional classification team.

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.  
LAW IMPLEMENTED: 944.09, 944.23 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.713 Inmate Visiting – Definitions.

(1) through (3) No change.

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

(5) through (16) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Water Levels and Rates of Flow  
RULE CHAPTER NO.: 40D-8

RULE TITLES: Definitions  
RULE NOS.: 40D-8.021

Guidance and Minimum Levels for Lakes 40D-8.624

PURPOSE AND EFFECT: To amend Chapter 40D-8, F.A.C. to incorporate a methodology for the establishment of minimum lake levels and levels for the next set of priority lakes pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Pursuant to Section 373.042, F.S., the proposed rules amendments create a methodology to be used to establish minimum lake levels for Category 3 lakes. Category 3 lakes are those with no fringing cypress wetlands equal to or less than .5 acre in size. The proposed amendments also establish guidance and minimum lake levels for Lake Barbara, Lake Crenshaw, Lake Ellen, Lake Helen, Lake Hobbs, Round Lake, and Saddleback Lake in Hillsborough County, Florida, and Big Fish Lake in Pasco County, Florida.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086 FS.

IF REQUESTED IN WRITING, 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: Karen A. Lloyd, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

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

**INTERLOCAL AGENCIES**

**Lake Apopka Natural Gas District**

RULE TITLE: Tariff  
RULE NO.: 54C-1.001

PURPOSE AND EFFECT: The purpose is to develop amendments to existing Rule 54C-1.001, F.A.C., the tariff of Lake Apopka Natural Gas District (District), modifying the rate schedules for labor, equipment and material, residential sales service, residential air conditioning sales service, commercial sales service, interruptible sales service, and transportation service, including the purchased gas adjustment provision, by increasing the fees and charges made by the District. All classes of customers will experience an increase in the cost of gas.

**SUBJECT AREA TO BE ADDRESSED:** The rate schedules for all gas sales and transportation service, the rate schedule for District labor, equipment and material and the purchased gas adjustment provision in Rule 54C-1.001, F.A.C.

**SPECIFIC AUTHORITY:** Section (12), Chapter 99-454, Laws of Florida, 1999.

**LAW IMPLEMENTED:** Chapter 99-454, Laws of Florida, 1999.

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

**TIME AND DATE:** 10:00 a.m., November 24, 2003

**PLACE:** The office of Lake Apopka Natural Gas District, 1320 S. Vineland Road (CR 535), Winter Garden, Florida 34787

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** George F. Crabtree, General Manager, Lake Apopka Natural Gas District, 1320 South Vineland Road (CR 535), Winter Garden, Florida 34787, (407)656-2734, Facsimile (407)656-9371

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

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

<b>RULE CHAPTER TITLE:</b>	<b>RULE CHAPTER NO.:</b>
Assisted Living Facilities	58A-5
<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Definitions	58A-5.0131
License Application, Change of Ownership, and Provisional Licenses	58A-5.014
License Renewal and Conditional License	58A-5.015
License	58A-5.016
Residency Criteria and Admission Procedures	58A-5.0181
Resident Care Standards	58A-5.0182
Medication Practices	58A-5.0185
Staffing Standards	58A-5.019
Staff Training Requirements and Training Fees	58A-5.0191
Physical Plant Standards	58A-5.023
Records	58A-5.024
Adverse Incident Report	58A-5.0241
Resident Contracts	58A-5.025
Emergency Management	58A-5.026
Limited Mental Health	58A-5.029
Limited Nursing Services	58A-5.031
Administrative Enforcement	58A-5.033

**PURPOSE AND EFFECT:** The proposed amendments to Rules 58A-5.0131, 58A-5.014, 58A-5.015, 58A-5.016, 58A-5.0181, 58A-5.0182, 58A-5.0185, 58A-5.019, 58A-5.0191, 58A-5.023, 58A-5.024, 58A-5.0241, 58A-5.025, 58A-5.026, 58A-5.029, 58A-5.031, and 58A-5.033, F.A.C., are being considered in consultation with the Agency for Health Care Administration (AHCA). The proposed rule amendments will update and delete obsolete forms and applications; update and delete obsolete references to organizations and programs;

provide definitions; conform the proposed rules to changes in Sections 400.419, 400.417, 400.452, F.S.; clarify and revise rule requirements relating to definitions, license application, change of ownership, and provisional licenses, license renewal and conditional license, license, residency criteria and admission procedures, resident care standards, medication practices, staffing standards, staff training requirements and competency test fee, physical plant standards, records, resident contracts, adverse incident report, emergency management, limited mental health, limited nursing services, and administrative enforcement.

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

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

**LAW IMPLEMENTED:** 394.4574, 400.402, 400.404, 400.407, 400.4075, 400.408, 400.411, 400.412, 400.414, 400.415, 400.417, 400.4174, 400.4176, 400.4178, 400.419, 400.42, 400.423, 400.424, 400.4255, 400.4256, 400.426, 400.427, 400.4275, 400.428, 400.431, 400.434, 400.435, 400.441, 400.442, 400.444, 400.4445, 400.447, 400.452, 404.056, 409.912 FS.

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

**TIME AND DATE:** 9:00 a.m. – 1:00 p.m., November 24, 2003  
**PLACE:** Department of Elder Affairs, 4040 Esplanade Way, 225F Conf. Rm., Tallahassee, FL 32399-7000

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, 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**

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Mental Health Targeted Case Management Services	59G-4.199

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook, October 2003. The handbook contains the policies and procedures for the Medicaid Mental Health Targeted Case Management Program. The effect will be to incorporate by reference in the rule the current Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: Medicaid Mental Health Targeted Case Management Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 FS.

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

TIME AND DATE: 10:00 a.m. – 11:00 a.m., Monday, November 24, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marilyn Wilson, Bureau of Medicaid Services, 2727 Mahan Dr., Building 3, MS#20, Tallahassee, Florida 32308-5403, (850)488-5546

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.199 Mental Health Targeted Case Management Services.

(1) This rule applies to all mental health targeted case management providers enrolled in the Mental Health Targeted Case Management Program.

(2) All Medicaid-enrolled mental health targeted case management providers must be in compliance with the Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook, October 2003, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, which is incorporated by reference in Rule 59G-8.200, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE:	RULE NO.:
Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known As ICF/DD Facilities)	59G-6.045

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not publicly owned and not publicly operated Reimbursement Plan (the Plan).

The purpose and the effect of the proposed amendment is: Modify the rate methodology for the operating cost component and the resident care cost component to reflect the following:

1. Beginning April 1, 2004, the current rate semester’s “Total Operating and Residential Care Rate” per diem shall be calculated as the lower of the current rate semester’s cost per diem or current rate semester’s target per diem, multiplied by the current rate semester’s cost inflation factor plus the current rate semester’s incentive add-on amount. There shall be no inflation applied to the incentive add-on amounts.

2. Beginning October 1, 2004 forward, the current rate semester’s “Prior Period Base” for the Operating cost component and the Resident Care cost component shall be calculated as the lower of the prior rate semester’s cost per diem or prior rate semester’s target per diem, multiplied by the prior rate semester’s cost inflation factor. Beginning October 1, 2004 forward, the current rate semester’s “Prior Period Base” excludes the addition of the prior rate semester’s incentive add-on amounts.

SUBJECT AREA TO BE ADDRESSED: Florida Medicaid Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not publicly owned and not publicly operated reimbursement methodology.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 10:00 a.m., December 3, 2003

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND A COPY OF THE PRELIMINARY DRAFT IS: Robert C. Butler, Bureau Chief, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106-B, Tallahassee, Florida 32308, (850)414-2759

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE:	RULE NO.:
Medical Gas Certification	61G4-15.031

PURPOSE AND EFFECT: The purpose of this rule development is to determine whether the Board needs to make changes to the qualifications and standards for receiving medical gas certification.

SUBJECT AREA TO BE ADDRESSED: Medical Gas Certification.

SPECIFIC AUTHORITY: 489.108, 489.1136 FS.

LAW IMPLEMENTED: 489.1136 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-0783

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE TITLES:	RULE NOS.:
Specialty Certification	61G5-22.015
Minimum Curriculum for Nail Specialty Training	61G5-22.016

PURPOSE AND EFFECT: The Board proposes development of these rules to address changes in the hours of instruction.

SUBJECT AREA TO BE ADDRESSED: Specialty Certification and Minimum Curriculum for Nail Specialty Training.

SPECIFIC AUTHORITY: 447.016, 477.023(2) FS.

LAW IMPLEMENTED: 477.0201, 477.023 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Malone, Executive Director, Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399-0783

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE TITLES:	RULE NOS.:
Original Cosmetologist Licensure Fee, Cosmetologist Examination and Endorsement Fees, Initial Specialist Registration; Application and Endorsement Fees	61G5-24.002
Biennial Renewal Fee for Cosmetologists and Specialists	61G5-24.008
Delinquent License and Specialty Registration Fee	61G5-24.010
Inactive Status License and Specialty Registration Fees	61G5-24.017

PURPOSE AND EFFECT: The Board proposes development of these rules to address changes in fees.

SUBJECT AREA TO BE ADDRESSED: Original Cosmetologist Licensure Fee, Cosmetologist Examination and Endorsement Fees, Initial Specialist Registration, Application and Endorsement Fees, Biennial Renewal Fees for Cosmetologist and Specialists, Delinquent License and Specialty Fee, Inactive Status License and Specialty Registration Fees.

SPECIFIC AUTHORITY: 455.2171, 477.016, 477.026, 477.0212(2) FS.

LAW IMPLEMENTED: 455.2171, 455.271, 477.0212(2), 477.026 FS.

IF REQUESTED 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: Julie Malone, Executive Director, Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399-0783

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Hair Braiding	61G5-31

PURPOSE AND EFFECT: The Board proposes development of this entire rule chapter to address the requirements for registration.

SUBJECT AREA TO BE ADDRESSED: Hair Braiding.

SPECIFIC AUTHORITY: 455.203(1), 455.2228, 477.016, 477.0132, 477.026(1)(f) FS., Chapter 99-251, Laws of Florida.  
 LAW IMPLEMENTED: 455.203(1), 455.2228, 477.013(9), 477.0132, 477.026(1)(f), 477.029 FS., Chapter 99-251, Laws of Florida.

IF REQUESTED 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: Julie Malone, Executive Director, Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399-0783

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE TITLE: Fees  
 RULE NO.: 61H1-31.001

PURPOSE AND EFFECT: The rule is being revised to set forth fees to be charged for computer-based testing of Applicant's sitting for the Uniform CPA Examination as first-time candidates or candidates transferring partial credit from another state.

SUBJECT AREA TO BE ADDRESSED: Fees.  
 SPECIFIC AUTHORITY: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

LAW IMPLEMENTED: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 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: John W. Johnson, Executive Director, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-31.001 Fees.

(1) ~~For the Applicants~~ to sit for the Uniform CPA Examination, as a first time candidate or for candidates transferring partial credits from another state, a fifty dollar (\$50.00) application fee will be owed prior to processing the application. Once the applicant has been approved to sit for the exam as a Florida candidate, the following initial examination fee will be charged to take each section of the exam: Auditing

\$134.50, Accounting \$126.00, Regulation \$109.00, and Business E & C \$100.50 ~~thirty-five dollars (\$35.00) and sixty dollars (\$60.00) per part; sixty dollars (\$60.00) per part for extended/conditioned candidates. The Department will defer the fee until the next examination if the applicant is unable to sit for the examination due to illness, death in the immediate family, military service, or jury duty provided the applicant's illness is supported by a notarized statement of a physician, or absence, by reason of military service is supported by a copy of military order or a letter from the Commanding Officer or death in immediate family is supported by a notarized statement by the applicant and a copy of the death certificate or obituary, or jury duty is supported by evidence from the appropriate court. Such request must be made in writing within sixty (60) days from the last day of the examination.~~

(2) In addition to the examination fee charged to take each section of the exam set forth in Section (1), re-examination candidates will be charged a re-examination administration fee covering the costs of administration of the re-examination, which will vary depending on the number of examination sections the candidate applies to take per application: For initial licensure the fee shall be Twenty five Dollars (\$25.00). However, in no event will an initial license be issued if the initial licensure fee and all required documents are not received within 12 months of the date of certification by the Board. In such a case, the certification expires and the individual affected must reapply and requalify for licensure based on the laws and rules in effect at the time of the new application.

- (a) Four sections of the examination – \$105.00.
- (b) Three sections of the examination – \$90.00.
- (c) Two sections of the examination – \$75.00, or
- (d) One section of the examination – \$60.00.

(3) For individual active and inactive status licenses, biennial renewal fee provided in Section 473.305, F.S., ninety-five dollars (\$95.00).

(4) For change of status other than during the renewal period, fifty dollars (\$50.00); for reactivation of an inactive status license to active status, fifty dollars (\$50.00); for reactivation of a delinquent status license to active or changing a delinquent status license to inactive status fifty dollars (\$50.00).

In all cases completion of the requirements of Rule 61H1-33.006, F.A.C., and passage of the examination on Chapters 455 and 473, F.S., and related rules shall be required for reactivation.

(5) The biennial renewal fee provided in Section 473.305, F.S., for partnerships, corporations, and limited liability companies licensed in Section 473.3101, F.S., one hundred fifty dollars (\$150.00). The penalty for late renewal for partnerships, corporations, and limited liability companies shall be fifty dollars (\$50.00). The biennial renewal fee provided in Section 473.305, F.S., for sole proprietor firms and other legal entities owned by a sole proprietor licensed in

Section 473.3101, F.S., twenty-five (\$25.00). The penalty for late renewal for sole proprietor firms and other legal entities owned by a sole proprietor shall be twenty-five dollars (\$25.00).

(6) Persons, partnerships and corporations licensed in the first year of the biennial period, as established by the Department, shall pay the fees established above. Those persons, partnerships and corporations licensed in the second year of the biennial period, as established by the Department, shall pay one half of the fees established above.

(7) For application for license by endorsement provided in Section 473.308, F.S., One Hundred Fifty Dollars (\$150.00) per person. If such application is withdrawn or denied, no portion of the fee will be refunded by the Department.

(8) The fee for the examination is refundable in the amount of fifty dollars per part if the applicant is found to be ineligible to sit for the examination.

(9) For fees relating to the Foreign Language Examination refer to Section 455.11, F.S.

(10) The scan sheet for the Laws and Rules Examination must be postmarked by or on July 15. No Laws and Rules Examination scan sheet will be accepted if it is postmarked after December 1.

(11) The CPE reporting form must be postmarked by or on July 15. If it is postmarked after July 15 but by or on December 1, a \$50 delinquency fee will be imposed by the Board. No CPE reporting form will be accepted if it is postmarked after December 1.

(12) Duplicate licensee fee – If a licensee requests a duplicate license, the Board will issue the duplicate if the request is made in writing and is accompanied by a payment of \$25.

Specific Authority 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS. Law Implemented 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 3-4-82, 11-6-83, 3-29-84, Formerly 21A-31.01, Amended 6-4-86, 9-16-87, 2-1-88, 8-30-88, 2-6-89, 12-18-89, 12-28-89, 8-16-90, 4-8-92, 12-2-92, Formerly 21A-31.001, Amended 11-4-93, 2-14-95, 11-3-97, 6-22-98, 10-28-98, 7-15-99, 4-3-02,

**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**

**Division of Administration**

RULE TITLES:	RULE NOS.:
Scope	63F-1.001
Definitions	63F-1.002
Development of New and Revised Policies	63F-1.003

PURPOSE AND EFFECT: The proposed rule is intended to implement new provisions in Section 985.407, Florida Statutes, governing the adoption of policy changes that impact contracted delinquency services and programs.

SUBJECT AREA TO BE ADDRESSED: Procedure to adopt policy changes that impact contracted providers of delinquency services and programs.

SPECIFIC AUTHORITY: 20.316, 985.405, 985.407 FS.

LAW IMPLEMENTED: 985.407 FS.

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

TIME AND DATE: 10:00 a.m., December 1, 2003

PLACE: DJJ Headquarters, Alexander Building, 1st Floor Conference Room, 2737 Centerview Dr., Tallahassee, Florida

TIME AND DATE: 10:00 a.m., December 3, 2003

PLACE: DJJ Central RASC, 4524 Oak Fair Boulevard, Ste. 100, Tampa, Florida

TIME AND DATE: 10:00 a.m., December 4, 2003

PLACE: DJJ South RASC, 8301 Pembroke Rd., South RASC Conference Room, Pembroke Pines, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Clyde Benedix, 2737 Centerview Drive, Ste. 104, Tallahassee, FL 32399-3100, e-mail: [clyde.benedix@djj.state.fl.us](mailto:clyde.benedix@djj.state.fl.us)

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

RULE TITLE:	RULE NO.:
Temporary Cash Assistance Eligibility of Pregnant Women	65A-4.215

PURPOSE AND EFFECT: This rule amendment clarifies Temporary Cash Assistance (TCA) eligibility verification for pregnant women in accordance with s. 414.095(6), F.S. The change in policy will streamline the application process for TCA.

SUBJECT AREA TO BE ADDRESSED: This rule amendment provides for “verbal” or written verification of pregnancy and the inability to participate in work activities during the last trimester of pregnancy. It also clarifies the definition of the last trimester of pregnancy and the ninth month of pregnancy.

SPECIFIC AUTHORITY: 120.54(1), 414.45, 414.095(19) FS.

LAW IMPLEMENTED: 414.095(1),(2)(b)5.,(6) 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., November 25, 2003  
 PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, FL  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Angela Wiggins, Acting Administrator, Economic Self-Sufficiency Program Office, Welfare Reform Policy Integration Unit, 1317 Winewood Boulevard, Building 3, Room 105 H, Tallahassee, Florida 32399-0700, (850)487-1707  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Elections

RULE TITLE: Recount Procedures

RULE NO.: 1S-2.031

PURPOSE AND EFFECT: Amend the recount procedures to reflect changes in Federal and Florida Law, and to clarify recount procedures under specific circumstances.

SUMMARY: The Florida Help America Vote Act Implementation bill granted the Division of Elections additional rulemaking authority pertaining to machine recounts. Generally, the rule is being amended to reflect the changes in the law.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 102.166 FS.

LAW IMPLEMENTED: 102.166 FS.

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

TIME AND DATE: 1:00 p.m., December 1, 2003  
 PLACE: The Collins Building, Room 102, 107 West Gaines Street, Tallahassee, Florida 32399-0250

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing should advise the Department at least 5 calendar days before the hearing by contacting: Sarah Jane Bradshaw or Marielba Torres, (850)245-6200.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sarah Jane Bradshaw, 107 West Gaines Street, Suite 100, Tallahassee, Florida 32399-0250, (850)245-6200

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.031 Recount Procedures.

(1) All procedures relating to machine and manual recounts shall be open to the public.

(2) At least two members of the canvassing board shall be present during all times a machine or manual recount is being conducted.

(3) All recounts are to be ordered by the board responsible for certifying the results of the race or races being recounted.

(4) As used in this rule, "undervote" means that the tabulator recorded no vote for the office or question or that the elector did not designate the number of choices allowed for the race.

(5) Machine Recounts shall be conducted as follows:

(a) Touchscreen Ballot Recounts.

1. The county canvassing board shall be required to produce printed vote totals for the affected race for each voting device.

2. The county canvassing board shall verify that the total votes for the recounted race taken from the printed vote totals for each voting device are the same as the total votes shown on the county totals from election night. If there is a discrepancy, the county canvassing board shall investigate and resolve the discrepancy.

(b) Optical Scan Ballot Recounts.

1. The supervisor of elections shall change the election parameters so that only the recounted race or races will be tabulated and so that ballots containing overvotes and undervotes in the recounted race or races can be sorted from the other ballots during the machine recount.

2. Prior to the machine recount being conducted, the tabulating equipment being used in the recount must be tested pursuant to the provisions of s. 101.5612, F.S. The canvassing board is not required to use the same tabulating equipment that ballots were originally tabulated on.

3. The canvassing board or its representatives shall put each ballot through the tabulating equipment and determine the votes in the recounted race or races. During this process, the overvoted and undervoted ballots in the recounted race or races must be sorted.

4. Sorted ballots shall be placed in a sealed container or containers until it is determined whether a manual recount will be conducted. Seal numbers shall be recorded at the time the ballots are placed in the containers.

5. Following the machine recount, the tabulating equipment that was used in the machine recount must be tested pursuant to the provisions of s. 101.5612, F.S.

6. If the test shows no error, the results of the machine recount shall be deemed correct.

7. If the test indicates an error, the canvassing board shall correct the error and repeat steps 1.-5.



~~(6)(1)~~ The following procedures apply to manual recounts of optical scan ballots involving all county, multicounty, federal or statewide offices or issues required by law to be recounted:

~~(a)~~ All procedures related to the manual recount shall be open to the public.

~~(b)~~ At least two members of the county canvassing board shall be present during all times the recount is in process.

~~(c)~~ The county canvassing board shall supervise the procedure used to identify and sort overvotes and undervotes in the affected race or issue. If the manual recount is being conducted at a location different from the location of the sorting process or is not being started immediately after the sorting, the sorted ballots shall be placed in a sealed container or containers until the manual recount is started. Seal numbers shall be recorded and announced at the time they are placed on the containers and the seal number shall be announced when the seal is broken and the ballots are removed from the container for the recount.

~~(a)(4)~~ Ballots with overvotes and undervotes shall be transported to the location of the manual recount by two members of the county canvassing board and a sworn law enforcement officer. From the time the manual recount is started until completion of the recount, including times of recess, the ballots shall be guarded by a sworn law enforcement officer.

~~(b)(e)~~ If the manual recount is ordered by the Elections Canvassing Commission, the Commission shall notify the candidates and chairmen of the state executive committee of the political parties, if applicable, entitled to representatives or the chairmen of the political committees, if any, in the case of an issue, that a manual recount has been ordered. The candidates or chairmen are responsible for contacting the supervisor of elections in each county involved in the manual recount to find out when and where the recount will be conducted and the number of representatives such candidate or committee is entitled to.

~~(c)(f)~~ If the manual recount is ordered by the county canvassing board, the supervisor of elections shall notify the candidates and chairmen of the county executive committee of the political parties, if applicable, entitled to representatives or the chairmen of the political committees, if any, in the case of an issue, that a recount has been ordered and shall provide information regarding the time and the place of the manual recount and the number of representatives such candidate or committee is entitled to.

~~(d)(g)~~ In addition, each county canvassing board shall provide public notice of the time and place of the manual recount immediately after determining the need for a manual recount pursuant to Section 102.166, F.S. The notice shall be in either a newspaper of general circulation in the county or posted in at least four conspicuous locations in the county. Because of the time constraints in conducting the manual

recount, the canvassing board shall also contact media outlets in the community so that the public is made aware of the recount as soon as possible. The manual recount shall begin as soon as practicable in order for the recount to be concluded in time for the certification of results to be submitted pursuant to Section 102.112, F.S.

~~(e)(h)~~ The manual recount shall be conducted in a room large enough to accommodate the necessary number of counting teams, the canvassing board members and representatives of each candidate, political party or political committee entitled to have representatives. Members of the public and the press (observers) shall be allowed to observe the recount from a separate area designated by the county canvassing board, which area may be outside of the actual recount area but which will allow the observers to view the activities. In addition to the sworn law enforcement officer guarding the ballots, there shall be a sworn law enforcement officer to keep order in and around the recount area.

~~(f)(i)~~ The canvassing board shall determine the number of overvotes and undervotes to be manually recounted. If the recount involves candidates or issues on a statewide or multicounty basis, each county canvassing board shall notify the Elections Canvassing Commission of the number of overvotes and undervotes in the county for the affected race. Any candidate whose ultimate success or failure in the race could be adversely or favorably impacted by the manual recount, presuming recount results most favorable and least favorable to the candidate, shall be entitled to representatives at the recount. In addition, in any primary where more than one candidate may proceed to a subsequent primary or general election, the candidates receiving the highest and second highest number of votes shall be entitled to representatives at the recount if the recount could result in those candidates switching positions in the official returns. In a first primary election, any candidate who could move into first or second place if all of the overvotes and undervotes were allocated to such candidate and any candidate who could lose his or her position in first or second place if all of the overvotes and undervotes were allocated to another candidate shall be entitled to representatives at the recount. In a second primary or general election or if there is only one primary, any candidate who could move into first place if all of the overvotes and undervotes were allocated to such candidate and any candidate who could lose his or her position in first place if all of the overvotes and undervotes were allocated to another candidate shall be entitled to representatives at the recount.

~~(g)(j)~~ Each candidate entitled to representatives as outlined in ~~(f)(i)~~ is entitled to a number of representatives equal to the number of counting teams plus an additional representative for the county canvassing board. If the race being recounted is a partisan race, each political party with candidates entitled to

representatives is entitled to one representative. Each candidate or political party entitled to representatives must provide a list of the names of each representative designated.

~~(h)(4)~~ In order to be entitled to representatives at the manual recount, a political committee supporting or opposing an issue which is being recounted must have provided in its statement of organization, on file before the election, that the committee is specifically supporting or opposing the issue in question. If more than one committee is registered as supporting or opposing the issue, each side shall be entitled to one representative per counting team plus one for the canvassing board. The canvassing board shall notify each committee chairman of the number of representatives it is entitled to based on the number of committees involved. The committee chairman must provide a list of the names of each representative designated.

~~(i)(4)~~ In the case of a manual recount regarding the retention of a judicial candidate, the judicial candidate is entitled to representatives equal to the number of counting teams plus an additional representative for the county canvassing board. If there are political committees organized to oppose the retention of such judicial candidate, those committees are entitled to representatives pursuant to ~~(h)(4)~~.

~~(j)(4)~~ Representatives and observers must not interfere or disturb the recount in any way. If the conduct of the representatives or observers impedes the recount process, the recount will stop until the situation is corrected. If the disturbance continues, upon majority vote of the canvassing board, the persons causing the disturbance shall be removed from the premises by the law enforcement officer charged with maintaining order at the recount.

~~(k)(4)~~ Prior to the beginning of the manual recount, the canvassing board shall review the rules and statutes governing recount procedures and voter intent with the members of the counting teams and with the representatives entitled to be present. At the beginning of the manual recount, the seal numbers on the containers shall be announced as they are broken and compared to the numbers previously recorded.

~~(l)(4)~~ Each counting team shall review the ballots before them to determine if there is or is not a clear indication that the voter has made a definite choice, as specified in Rule 1S-2.027, F.A.C. If the counting team is unable to make the determination, or if there is an objection to the decision of the counting team by a designated representative, the ballot shall be set aside for the county canvassing board's determination.

~~(m)(4)~~ Each counting team shall place the ballots in stacks indicating:

1. Votes for each candidate or issue choice;
2. Ballots which the counting team has determined there is no clear indication that the voter made a definite choice for an office or ballot question; and
3. Ballots to be set aside for the canvassing board's determination.

~~(n)(4)~~ The counting team shall count the number of votes for each candidate or issue choice, the number of ballots which the counting team has determined there is no clear indication that the voter made a definite choice, and the number of ballots which are to be given to the canvassing board for its determination and shall submit those totals to the county canvassing board.

~~(o)(4)~~ Each ballot set aside because the counting team was unable to make a determination must be placed in a separate envelope with a notation of the precinct number, why the team was unable to make the determination, and the names of the members of the counting team. If a ballot was set aside because of an objection to the decision of the counting team by a representative, the envelope must contain the precinct number, the names of the members of the counting team, the counting team's initial determination, the reasoning behind the challenge and the person bringing the challenge.

~~(p)(4)~~ The county canvassing board shall review each ballot set aside to determine if there is or is not a clear indication that the voter has made a definite choice, as specified in Rule 1S-2.027, F.A.C. All three members of the county canvassing board must be present for this determination and the determination must be by majority vote.

~~(q)(4)~~ The records of the manual recount shall detail the number of votes each candidate or issue choice received and the number of ballots not allocated to any candidate or issue choice. The canvassing board shall then certify the number of votes for each candidate or issue choice by combining the totals on the machine during the sorting process with the totals of the manual recount.

~~(r)(4)~~ The activities of the canvassing board in making determinations of ballots to be counted shall be recorded by either audio or audio/video tape. In addition, minutes of the manual recount shall be made and approved by the canvassing board. All tapes and minutes shall be made available to the public within 2 weeks of the time the canvassing board certifies the results of the election.

~~(s)~~ In the event that more than one race on the same ballot requires a manual recount, the following additional procedures shall be used:

1. The election parameters shall be changed so that only overvoted and undervoted ballots for one recounted race will be sorted.

2. The ballots previously sorted pursuant to paragraph (5)(b) shall be put back through the tabulating equipment to sort the ballots for the first manually recounted race.

3. Following the manual recount, the sorted ballots from the first manually recounted race will be combined with the other sorted ballots.

4. The election parameters shall be changed to sort the overvoted and undervoted ballots for the next manually recounted race.

5. All previously sorted ballots shall be put back through the tabulating equipment to sort the ballots for the next manually recounted race.

(7)(2) Following a manual recount, the county canvassing board shall examine the ballots that were not allocated to any candidate or issue choice to determine if revisions to the voter intent rule are necessary and shall so notify the Division of Elections.

Specific Authority 102.166 FS. Law Implemented 102.166 FS. History--New 5-30-02, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sarah Jane Bradshaw, Assistant Division Director  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edward C. Kast, Director, Division of Elections, Department of State  
DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

**DEPARTMENT OF STATE**

**Division of Elections**

RULE TITLE: Polling Place Procedures Manual  
PURPOSE AND EFFECT: Amend the Polling Place Procedures Manual to include new Federal Help America Vote Act provisions.

RULE NO.: 1S-2.034

SUMMARY: The proposed rule generally updates the manual to include new HAVA provisions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 102.014(5) FS.

LAW IMPLEMENTED: 102.014(5) FS.

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

TIME AND DATE: 1:00 p.m., December 1, 2003

PLACE: The Collins Building, Room 102, 107 West Gaines Street, Tallahassee, Florida 32399-0250

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing should advise the Department at least 5 calendar days before the hearing by contacting: Sarah Jane Bradshaw or Marielba Torres, (850)245-6200.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sarah Jane Bradshaw, 107 West Gaines Street, Suite 100, Tallahassee, Florida 32399-0250, (850)245-6200

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.034 Polling Place Procedures Manual.

The Department of State, Division of Elections, is required to establish a polling place procedures manual, Form DS-DE 11 (\_\_\_/03) (~~4/02~~), which is hereby incorporated by reference and available from the Division of Elections, Room 100, The Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority 102.014(5) FS. Law Implemented 102.014(5) FS. History--New 2-11-02, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sarah Jane Bradshaw, Assistant Division Director  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edward C. Kast, Director, Division of Elections, Department of State  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE TITLE: Admission and Enrollment Requirements  
PURPOSE AND EFFECT: The purpose of this Rule is to establish requirements for admission and continued enrollment in the Florida School for the Deaf and the Blind.

RULE NO.: 6D-3.002

SUMMARY: This rule indicates procedures for application for admission into the Florida School for the Deaf and the Blind as well as requirements for admission and continued enrollment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

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

TIME AND DATE: 9:00 a.m., December 13, 2003

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-3.002 Admission and Enrollment Requirements.

(1) through (b) No change.

(c) ~~Dual-Sensory Deaf-Blind~~ One who has a hearing impairment and a visual impairment, the combination of which causes severe communication and other developmental and educational problems that cannot be properly accommodated in special programs solely for the hearing impaired or the visually impaired applicant.

(d) through (f) No change.

~~(g) Residential determination. An applicant's need to be in a residential setting, as determined by the school district through its Individual Educational Plan process.~~

~~(g)(h) Residential Service.~~ Room and board provided by the School as a service to a Florida student at the request and consent of the parent at no cost to the parent.

~~(h)(i) Applicant.~~ A child who meets or may meet one of the classifications defined in paragraph (a), (b), or (c), above who seeks admission, either directly or through his or her parents, guardian, or school district, into the educational program of the School.

~~(i)(j) Admission.~~ The process of determining whether the applicant is qualified for enrollment and whether the applicant should or should not be enrolled.

~~(j)(k) Enrollment.~~ The actual registration by the School of the applicant into the School's educational program.

~~(k)(l) Student.~~ A child who has been enrolled in the School's educational program(s), and who may or may not be a residential student.

~~(l)(m) Assignment.~~ The determination by the staffing committee of the educational program(s) in the School to which the enrolled student is assigned.

(2)(a) through (i) No change.

(j) An applicant is qualified for admission into the School's program for the ~~dual-sensory deaf-blind~~ if the applicant meets the following admissions criteria:

(k)1. through (m) No change.

~~(3)(a) Applications for the admission of a student shall be submitted by school personnel from the school district in which the applicant or his or her parents, legal guardian, or person who has legal custody resides; or~~

~~(a)(b) Application for admission may be submitted to the School by parents, legal guardian or person who has legal custody.~~

~~(b)(e) If the applicant has not been evaluated by the school district, pursuant to Section 1003.57(3) 230.23(4)(m) and Rule 6A-6.0331, F.A.C., and determined eligible for a special program for exceptional students, the applicant or the requesting authority will be directed by the School to have the applicant evaluated by the school district and an Individual Educational Plan prepared by that school district. No applicant will be considered for admission to the School without the~~

school district evaluation. The School shall immediately send a copy of the completed application form to the school district in which the applicant or his or her parents, guardian or person having legal custody resides.

~~(c)(d) If the applicant has already been evaluated by the school district, pursuant to Section 1003.57(3) 230.23(4)(m), F.S. and Rule 6A-6.0331, F.A.C., and determined eligible for a special program for exceptional students, the applicant will be considered for admission. The School shall immediately send a copy of the completed application form to the school district in which the applicant or his or her parents, guardian or person having legal custody resides and request from the school district all current evaluation data and a copy of the current or proposed Individual Educational Plan.~~

~~(d)(e) Notwithstanding the provisions of paragraphs (b)(e) and (c)(d) above, a school district and the School may enter into an agreement for the School to perform one or more of the following activities:~~

1. Conduct an individual evaluation(s) by qualified individuals.
2. Determine that the student is handicapped.
3. Develop Individual Educational Plan.

~~(e)(f) Any determination made by the School pursuant to such an agreement shall be considered a determination by the school district, as provided for in paragraph (d)(e) above.~~

(4) Procedures for Determining Admissions and Assignment.

(a) Upon receipt of a completed form from ~~a school district or~~ a parent, legal guardian, or adult applicant, the School staffing committee shall review any evaluation data submitted and shall conduct or obtain any additional evaluations necessary.

(b) through (5)(m) No change.

Specific Authority ~~1002.36(4)(d), 242.331(3) FS. Law Implemented 1001.02(2)(h)(i), 1003.57(3), 1002.36(4)(d), 120.53(1)(b), 229.053(2)(i)(j), 230.23(4)(m), 242.331(4) FS. History--New 12-19-74, Revised 1-29-76, Amended 1-29-80, 5-2-86, Formerly 6D-3.02, Amended 5-5-87, 4-12-90, 12-20-92, 3-29-95, 3-25-96. Cf. P.L. 94-142, 20 USC 1401(18)(19), 1412(2)(5), (6), 1413(a)(2), Federal Register, Vol. 42, No. 163, Regulations 121a.4, 121a.503.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Elmer Dillingham, Jr., President Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 37, September 12, 2003

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE TITLE:  
Individual Educational Plan

RULE NO.:  
6D-3.0021

PURPOSE AND EFFECT: The purpose of this Rule is to establish guidelines to ensure the Individual Educational Plan for each student enrolled in the Florida School for the Deaf and the Blind is in concert with federal and state laws.

SUMMARY: This rule assures that provisions for development/review/revision of the Individual Educational Plan follows requirements of Individuals with Disabilities Education Act as well as state mandates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

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

TIME AND DATE: 9:00 a.m., December 13, 2003

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-3.0021 Individual Educational Plan.

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

~~4. The Individual Educational Plan shall demonstrate that the residential determination was made by the school district or that the residential assignment is a service provided by the School at the request and consent of the parents.~~

~~(c)(4)~~ Meetings shall be held to develop, review and revise a student's Individual Educational Plan.

1. A meeting shall be held at least once a year to revise each student's Individual Educational Plan. A meeting shall also be held to review and revise a student's Individual Educational Plan when it is suspected that the student may no longer meet the School's admission and enrollment requirements.

2. Meetings shall include the following participants:

a. ~~The parents of the child; A representative of the School administration, other than the student's teacher, who is qualified to provide or supervise the provision of special education;~~

b. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment); ~~The student's teacher;~~

c. At least one special education teacher of the child, or if appropriate, at least one special education provider of the child; ~~One or both of the student's parents as provided in subsection 6D-3.0021(3), F.A.C.;~~

d. A representative of the School who: ~~The student when appropriate;~~

1. Is qualified to provide, or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities;

2. Is knowledgeable about the general curriculum; and

3. Is knowledgeable about the availability of resources of the School.

e. An individual who can interpret the instructional implications of evaluation results. ~~Other individuals at the discretion of the parent, school district, of the School; and~~

f. At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel, as appropriate; and

g. If appropriate, the child.

~~h.~~ In addition, for a student who has been evaluated for the first time, a member of the evaluation team or some other person who is knowledgeable about the evaluation procedures used with the student and is familiar with the results of the evaluation.

~~i.~~ If the purpose of the IEP meeting is to consider transition services, the School shall invite a representative of any other agency that may be responsible for providing or paying for transition services. If the student does not attend, the School shall take steps to ensure that the student's preferences and interests are considered; if an agency invited to participate in the IEP meeting does not attend, the School shall take steps to obtain the input of the agency in the planning of any transition services.

3. A representative of the school district in which the student resides shall be invited to attend each meeting to develop or revise the student's Individual Educational Plan.

(e) If a participating agency fails to provide agreed-upon transition services contained in the IEP of a student, the School shall, as soon as possible, initiate a meeting for the purpose of identifying alternative strategies to meet the transition objectives, and if necessary, revising the student's IEP. Nothing in this section relieves any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

~~(f)~~ The above procedures apply to students referred by the School to public or private out-of-state schools and for whom the School provides an education through a contractual arrangement and students enrolled in a public or private school and receiving special education and related services from the Florida School for the Deaf and the Blind through dual enrollment.

~~(f)(g)~~ All Individual Educational Plans shall be implemented as soon as possible following the meeting to develop the plan. An exception to this would be when meetings

occur during the summer or a vacation period, or where there are circumstances which require a short delay such as arranging transportation. However, there can be no undue delay in providing special education to the student.

(2)(a) through (3)(a)4.e. No change.

f. The School shall give parents, ~~on request~~, a copy of the Individual Educational Plan.

(b) through (d) No change.

Specific Authority ~~1002.36(4)(d) 242.331(3)~~ FS. Law Implemented ~~1002.36(4)(d) 120.53(1)(b), 242.331(4)~~ FS. History--New 5-5-87, Amended 9-16-93, 3-25-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 37, September 12, 2003

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE TITLE: Provision of Non-Academic and Extracurricular Services and Activities

RULE NO.:

6D-3.007

PURPOSE AND EFFECT: The purpose of this Rule is to ensure that Least Restrictive Environment requirement is followed in extra-curricular activities.

SUMMARY: This rule assures that provisions of non-academic extracurricular activities are made available to students in the Least Restrictive environment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

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

TIME AND DATE: 9:00 a.m., December 13, 2003

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-3.007 Provision of Non-Academic and Extracurricular Services and Activities.

(1) The School shall assure that the provisions of all ~~eligible~~ non-academic and extracurricular services and activities to all eligible students is made available in the least restrictive environment appropriate to the needs of the student.

(2) No change.

Specific Authority ~~1002.36(4)(d) 120.53(1)(b)~~ FS. Law Implemented ~~1002.36(4)(d) 120.53(1)(b), 242.331(4)~~ FS. History--New 1-28-80, Formerly 6D-3-07, \_\_\_\_\_ Cf.P.L. 94-142, 20 USC 1401(18), 1412(2),(5),(6), 1414(a),(5),(6),(7), Federal Register Volume 42 Number 163, Regulations 121a.2, 121a.4. 121a.306.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 29, No. 37, September 12, 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. 030697-WS

RULE TITLES: RULE NOS.:

General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding 25-30.445

Notice of and Public Information for Application for Limited Proceeding Rate Increase 25-30.446

PURPOSE AND EFFECT: To define the filing requirements and to specify the noticing requirements for a limited proceeding application.

SUMMARY: Rule 25-30.445, F.A.C., sets forth the information that must be included in a utility's application for a limited proceeding. Specifically, subsections (1) through (3) detail the minimum filing requirements for a limited proceeding application and set forth the format and administrative requirements for the application. Subsection (4) sets forth the information Class A and B utilities must provide to the Commission. Subsection (5) sets forth the information that a Class C utility must file in an application for a limited proceeding.

Subsection (6) lists some of the factors the Commission will consider when determining whether the utility should file a general rate case instead of a limited proceeding. Subsection (7) requires the utility to provide a statement in its application that addresses whether the utility's rate base has declined or whether any expense recovery sought by the utility would be offset by customer growth. Subsection (8) clarifies that a limited proceeding should not be filed for underearnings in lieu of a general rate case.

Rule 25-30.446, F.A.C., sets forth the noticing requirements for an application for a limited proceeding. Subsections (1) through (5) outlines the procedure by which the utility must provide notice to municipalities and counties within the service areas included in the rate request and to the utility's customers. Subsection (6) requires utilities to provide customers notice of any customer meeting conducted by staff on the utility's application. Subsection (7) requires the utility to provide notice of any Commission hearings that might be conducted in regard to the application. Subsection (8) requires the utility to inform its customers about the Commission's decision on the application and any change in rates.

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), 367.0822, 367.081, 367.145(2), 367.121(1)(a) FS.

LAW IMPLEMENTED: 367.0822, 367.121 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)413-6245

THE FULL TEXT OF THE PROPOSED RULES IS:

25-30.445 General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding.

(1) Each applicant for a limited proceeding shall provide the following general information to the Commission:

(a) The name of the applicant as it appears on the applicant's certificate and the address of the applicant's principal place of business;

(b) The type of business organization under which the applicant's operations are conducted; if the applicant is a corporation, the date of incorporation; the names and addresses of all persons who own 5% or more of the applicant's stock; or the names and addresses of the owners of the business.

(c) The number(s) of the Commission order(s), if any, in which the Commission most recently considered the applicant's rates for the system(s) involved.

(d) The address within the service area where the application is available for customer inspection during the time the rate application is pending.

(e) A statement signed by an officer of the utility that the utility will comply with the noticing requirements in Rule 25-30.446, F.A.C.

(2) In a limited proceeding application:

(a) Each schedule shall be cross-referenced to identify related schedules.

(b) Except for handwritten official company records, all data in the petition and application shall be typed.

(c) The original and seven copies shall be filed with the Division of the Commission Clerk and Administrative Services.

(3) A filing fee as required in Rule 25-30.020, F.A.C. shall be submitted at the time of application.

(4) The following minimum filing requirements shall be filed with the utility's application for limited proceeding for a Class A or B water or wastewater utility:

(a) A detailed statement of the reason(s) why the limited proceeding has been requested.

(b) If the limited proceeding is being requested to recover costs required by a governmental or regulatory agency, provide the following:

1. A copy of any rule, regulation, order or other regulatory directive that has required or will require the applicant to make the improvement or the investment for which the applicant seeks recovery.

2. An estimate by a professional engineer, or other person, knowledgeable in design and construction of water and wastewater plant, to establish the projected cost of the applicant's investment and the period of time required for completion of construction.

(c) A schedule that provides the specific rate base components for which the utility seeks recovery. Supporting detail shall be provided for each item requested, including:

1. The actual or projected cost(s);

2. The date the item will be or is projected to be placed in service;

3. Any corresponding adjustments that are required as a result of adding or removing the requested component(s) from rate base, which may include retirement entries; and

4. Any other relevant supporting information.

(d) If the utility's application includes a request for recovery of plant in service, accumulated depreciation and depreciation expense, supporting detail shall be provided by primary account as defined by the NARUC Uniform System of Accounts, in accordance with Rule 25-30.110, F.A.C.

(e) A calculation of the weighted average cost of capital shall be provided for the most recent 12-month period, using the mid-point of the range of the last authorized rate of return on equity, the current embedded cost of fixed-rate capital, the actual cost of short-term debt, the actual cost of variable-cost debt, and the actual cost of other sources of capital which were used in the last individual rate proceeding of the utility. If the utility does not have an authorized rate of return on equity, the utility shall use the current leverage formula pursuant to s. 367.081(4)(f), F.S.

(f) If the utility is requesting recovery of operating expenses, the following information shall be provided:

1. A detailed description of the expense(s) requested;

2. The total cost by primary account pursuant to the NARUC Uniform System of Accounts;

3. Supporting documentation or calculations; and

4. Any allocations that are made between systems, affiliates or related parties. If allocations are made, submit full detail that shows the total amount allocated, a description of the basis of the allocation methodology, the allocation percentage applied to each allocated cost, and the workpapers supporting the calculation of the allocation percentages.

(g) Calculations for all items that will create cost savings or revenue impacts from the implementation of the requested cost recovery items.

(h) If the utility includes any other items where calculations are required, supporting documentation shall be filed that reflects the calculations or assumptions made.

(i) A calculation of the revenue increase including regulatory assessment fees and income taxes, if appropriate.

(j) Annualized revenues for the most recent 12-month period using the rates in effect at the time the utility files its application for limited proceeding and a schedule reflecting this calculation by customer class and meter size.

(k) A schedule of current and proposed rates for all classes of customers.

(l) Schedules for the most recent 12-month period showing that, without any increased rates, the utility will earn below its authorized rate of return in accordance with s. 367.082, F.S. The schedules shall consist of a rate base, net operating income and cost of capital schedule with adjustments to reflect those consistent with the utility's last rate proceeding.

(m) If the limited proceeding is being requested to change the current rate structure, provide a copy of all workpapers and calculations used to calculate requested rates and allocations between each customer class. The test year should be the most recent 12-month period. In addition, the following schedules, which are incorporated herein by reference, should be provided

from the Class A Water and/or Wastewater Utilities Accounting, Rate and Engineering Minimum Filing Requirements (Form PSC/ECR 20 (11/93)).

1. Schedule E-2, Revenue Schedule at Test Year Rates – Proof of Revenue.

2. Schedule E-12, Billing Analysis. Only two copies are required.

(n) Revised tariff sheets should not be filed with the application.

(5) In addition to the requirements stated in subsection (1) through (3), the following minimum filing requirements shall be filed with the utility's application for limited proceeding for a Class C water or wastewater utility:

(a) A detailed statement of the reason(s) why the limited proceeding has been requested.

(b) If the limited proceeding is being requested to recover costs required by a governmental or regulatory agency, provide a copy of any rule, regulation, order or other regulatory directive that has required or will require the applicant to make the improvement or the investment for which the applicant seeks recovery.

(c) A schedule that provides the specific rate base components for which the utility seeks recovery, if known. Supporting detail shall be provided for each item requested, including:

1. The actual or projected cost(s);

2. The date the item will be or is projected to be placed in service;

3. Any corresponding adjustments, if known, that are required as a result of adding or removing the requested component(s) from rate base, which may include retirement entries; and

4. Any other relevant supporting information, if known.

(d) If the utility is requesting recovery of operating expenses, provide an itemized description of the expense(s), including the cost and any available supporting documentation or calculations.

(e) Provide a description of any known items that will create cost savings or revenue impacts from the implementation of the requested cost recovery items.

(f) A calculation of the revenue increase including regulatory assessment fees and income taxes, if applicable.

(g) Annualized revenues for the most recent 12-month period using the rates in effect at the time the utility files its application for limited proceeding and a schedule reflecting this calculation by customer class and meter size.

(6) In evaluating whether the utility's request is improper for a limited proceeding, the Commission will consider factors such as:



(a) Whether the utility's filing includes more than 4 separate projects for which recovery is sought and the requested rate increase exceeds 30%. Corresponding adjustments for a given project are not subject to the above limitation;

(b) Whether the utility has not had a rate case in more than seven years and the requested rate increase exceeds 30%; or

(c) Whether the limited proceeding is filed as the result of the complete elimination of either the water or wastewater treatment process and the requested rate increase exceeds 30%.

(7) The utility shall provide a statement in its filing to the Commission which addresses whether the utility's rate base has declined or whether any expense recovery sought by the utility is offset by customer growth since its most recent rate proceeding or will be offset by future customer growth expected to occur within one year of the date new rates are implemented.

(8) A limited proceeding application shall not be filed for underearnings in lieu of a general rate case.

Specific Authority 350.127(2), 367.0822, 367.081, 367.145(2), 367.121(1)(a) FS. Law Implemented 367.0822, 367.121 FS. History--New \_\_\_\_\_.

#### 25-30.446 Notice of and Public Information for Application for Limited Proceeding Rate Increase.

(1) This rule applies to all requests for limited proceeding rate increases made by a water or wastewater utility.

(2) Upon filing a petition for limited proceeding rate increase, the utility shall mail a copy of the petition to the chief executive officer of the governing body of each municipality and county within the service areas included in the rate request. Each copy of the petition shall be accompanied by a statement that a copy of the minimum filing requirements (MFRs) set forth in Rule 25-30.445, F.A.C., when accepted by the Commission can be obtained from the petitioner upon request.

(3) Within 30 days after the official date of the filing established by the Commission, the utility shall place a copy of the petition and the MFRs at its official headquarters and at all business offices it has in the service areas included in the rate request. Such copies shall be available for public inspection during the utility's regular business hours. If the utility does not have a business office in a service area included in its rate request, the utility shall place a copy of the petition and the MFRs at the main county library, the local community center or other appropriate location which is within or most convenient to the service area and which is willing to accept and provide public access to the copies. If the Commission determines that these locations will not provide adequate access, the Commission will require that copies of the petition and MFRs be placed at other specified locations.

(4) Upon filing a petition and MFRs for a limited proceeding, the utility shall publish a notice of application in a newspaper of general circulation in the service areas included in the petition.

(5)(a) Within 50 days after the official date of filing established by the Commission, the utility shall provide, in writing, an initial customer notice to all customers within the service areas included in the rate request and to all persons in the same service areas who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the petition is filed.

(b) The initial customer notice must be approved by Commission staff prior to distribution and shall include the following:

1. The date the notice is to be issued;

2. A statement that the utility has filed a rate request with the Commission and a statement of the general reasons for the request;

3. A statement of the locations where copies of the MFRs and petition are available for public inspection and the hours and days when inspection may be made;

4. A comparison of current rates and charges and the proposed new rates and charges;

5. The utility's address, telephone number, and business hours;

6. A statement that written comments regarding utility service or the proposed rates and charges should be addressed to the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, and that such comments should identify the docket number assigned to the proceeding;

7. A statement that complaints regarding service may be made to the Commission's Division of Consumer Affairs at the following toll-free number: 1(800)342-3552; and

8. The docket number assigned by the Commission's Division of the Commission Clerk and Administrative Services.

(c) The initial customer notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.

(6) No less than 14 days and no more than 30 days prior to the date of a customer meeting conducted by the Commission staff, the utility shall provide written notice of the date, time, location, and purpose of the customer meeting to all customers within the service areas designated by the Commission staff. The notice must be approved by Commission staff prior to distribution. The notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.

(7) If a proposed agency action order issued in the case is protested and any hearings are subsequently held, the utility shall give notice no less than 14 days and no more than 30 days prior to the date of each hearing held in or near a utility service area included in the rate request. The utility shall also have published in a newspaper of general circulation in the area in which such hearing is to be held a display advertisement

stating the date, time, location, and purpose of the hearing. The notice must be approved by Commission staff prior to publication.

(8) After the Commission issues an order granting or denying a rate change, the utility shall notify its customers of the order and any revised rates. The customer notification must be first approved by Commission staff and shall be distributed no later than with the first bill containing any revised rates.

Specific Authority 350.127(2), 367.0822, 367.121(1)(a) FS. Law Implemented 367.0822, 367.121 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Patricia Merchant  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 1, 2002, Vol. 28, No. 44

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Employee Grooming, Uniform and Clothing Requirements

RULE NO.:

33-208.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to permit staff to wear neatly trimmed 1/4 inch beards.

SUMMARY: The proposed rule permits staff to wear neatly trimmed 1/4 inch beards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) No change.

(2) In addition to the standards set forth in subsection (1), all male employees shall comply with the following grooming standards:

(a) Hair will not completely cover any part of the ear or go below the ear or extend below 1/2 inch of the top of the collar.

(b) Staff shall be permitted to wear a neatly trimmed 1/4 inch beard. Sideburns shall not extend below the bottom of the ear, shall not be flared, and shall not connect with a mustache.

(c) A neatly trimmed mustache may be worn, but shall not extend below or in excess of 1/4 inch beyond the corners of the mouth or extend below the upper lip.

(d) The face will be clean shaven other than the wearing of an acceptable mustache or sideburns. Beards and goatees are prohibited.

(e) The only exception to the shaving policy shall be based on medical need. Any employee who cannot adhere to the shaving policy based on a medical diagnosis must provide a statement from a physician stating the medical condition, describing proposed treatment, and stating whether it is a temporary or permanent condition. If the physician indicates that it is a temporary condition and facial hair growth is prescribed, the physician's statement shall be forwarded through the chain of command for review, comment and recommendation to the appropriate director, Chief of Staff or Deputy Secretary. The Deputy Secretary, Chief of Staff or director may grant a temporary exemption to the shaving policy for medical reasons for a three to six month period. At the end of a period of temporary exemption, the employee shall be re-evaluated by his physician or a physician chosen by the department. Further temporary exemption periods of up to 12 months each may be granted under the foregoing criteria and procedures. If the physician states that the medical condition is permanent with no likelihood of improvement, a permanent exemption will be approved by the regional director, director of institutions, or deputy secretary. Facial hair in cases of exemption shall be neatly trimmed to 1/4 inch.

(3) through (10) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02, 2-20-03, 6-26-03, 10-27-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Rathmann

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2003

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Permissible Items for Visitors

RULE NO.: 33-601.725

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to add smokeless tobacco to the list of items which visitors are allowed to bring into a department facility, and to clarify that all items must be removed by the visitor at the end of the visit.

**SUMMARY:** The proposed rule adds smokeless tobacco to the list of items which visitors are allowed to bring into a department facility, and clarifies that all items must be removed by the visitor at the end of the visit.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** None.

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

**SPECIFIC AUTHORITY:** 20.315, 944.09, 944.23 FS.

**LAW IMPLEMENTED:** 944.09, 944.23 FS.

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

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

**THE FULL TEXT OF THE PROPOSED RULE IS:**

33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items shall be removed by the visitor at the end of the visit. Authorized items include:

(a) No change.

(b) One unopened, sealed package or can of smokeless tobacco, to include chewing tobacco and moist or powdered snuff.

(b) through (i) renumbered (c) through (j) No change.

(2) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Amended 5-27-02, 7-1-03,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
George Sapp

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 20, 2003

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

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

**RULE TITLE:** Delegation **RULE NO.:** 40C-3.0321

**PURPOSE AND EFFECT:** The purpose and effect of this proposed amendment is to: (1) delegate authority to issue water well contractor licenses and renewals from the District's Governing Board to the Executive Director, Assistant Executive Director, Director, Department of Resource Management, Assistant Director, Department of Resource Management, and Division Director, Division of Water Use Regulation; and (2) further delegate authority to issue permits for construction, repair, or modification of water wells to the Assistant Executive Director, Director, Department of Resource Management, Assistant Director, Department of Resource Management, and Division Director, Division of Water Use Regulation.

**SUMMARY:** The proposed rule amendment would delegate authority to issue water well contractor licenses and renewals and further delegate authority to issue permits for the construction, repair, or modification of water wells.

**SPECIFIC AUTHORITY:** 373.044, 373.113 FS.

**LAW IMPLEMENTED:** 373.083(5), 373.308, 373.309(2), 373.323(5), 373.324(2), 373.333, 373.342 FS.

**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.

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

**TIME AND DATE:** December 9, 2003, following the regularly scheduled Regulatory/Governing Board Meeting, which begins at 1:00 p.m.

**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 K. Messer, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, Suncom 860-4459, email:nmesser@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-3.0321 Delegation.

The authority for general administration of Chapter 40C-3, F.A.C., is delegated to the Executive Director of the District. It is the policy of the Board that in making this delegation the Executive Director is authorized to designate specific staff members to carry out various tasks but that overall supervision and responsibility shall rest with the executive director. The Executive Director, Assistant Executive Director, Director, Department of Resource Management, Assistant Director, Department of Resource Management, or Division Director, Division of Water Use Regulation are expressly authorized to issue permits under this chapter as provided in Sections 373.342(1), 373.323(5), and 373.324(2), F.S.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.083(5), 373.308, 373.309(2), 373.323(5), 373.324(2), 373.333, 373.342 FS. History—New 10-14-84, Formerly 40C-3.032, 40C-3.0032, Amended 9-17-89, Formerly 40C-3.032, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Thomas Mayton, Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108, Suncom 860-4108

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River water Management District

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2003

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Water Levels and Rates of Flow

RULE CHAPTER NO.: 40D-8

RULE TITLES: Definitions

RULE NOS.: 40D-8.021

Guidance and Minimum Levels for Lakes

40D-8.624

PURPOSE AND EFFECT: To amend Chapter 40D-8, F.A.C. to incorporate a methodology for the establishment of minimum lake levels and to add levels for the next set of priority lakes pursuant to Section 373.042, Florida Statutes.

SUMMARY: Pursuant to 373.042, F.S., the proposed rules amendments create a methodology to be used to establish minimum lake levels for Category 3 lakes. Category 3 lakes are those with no fringing cypress wetlands equal to or less than .5 acre in size. The proposed amendments also establish guidance and minimum lake levels for Lake Calm, Church Lake, Cypress Lake, Echo Lake, Fairy Lake (a.k.a. Lake Maurine), Halfmoon Lake, Lake Barbara, Lake Crenshaw, Lake Ellen, Lake Helen, Lake Hobbs, Round Lake, and Saddleback Lake in Hillsborough County, Florida, and Big Fish Lake in Pasco County, Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None 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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086 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: Karen A. Lloyd, Senior Attorney, Office of General Counsel, or Doug Leeper, Senior Environmental Scientist, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.021 Definitions.

The terms set forth herein shall have the meanings ascribed to them unless the context clearly indicates otherwise, and such meanings shall apply throughout these rules. The terms defined in Rule 40D-1.102, F.A.C., shall also apply throughout Chapter 40D-8, F.A.C., and the terms defined in this 40D-8.021, F.A.C., apply throughout the District rules except that where there is a conflict or a difference between Rule 40D-1.102 and this Rule 40D-8.021, F.A.C., the definition in this Chapter 40D-8, F.A.C., will control.

(1) through (15) No change.

(16) “Reference Lake Water Regime 5090 (RLWR 5090)” means the median value of the difference between the P50 and P90 lake stages for all lakes with historic data with similar hydrogeologic conditions as the lake of concern.

(16) through (18) renumbered (17) through (19) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086 FS. History—New 6-7-78, Amended 1-22-79, Formerly 16J-8.02, Amended 8-7-00, \_\_\_\_\_.

40D-8.624 Guidance and Minimum Levels for Lakes.

(1) Levels for lakes adopted during or after August 7, 2000, are set forth in Table 8-2 in 40D-8.624(13)(12), F.A.C. There are three Guidance Levels for lakes, the Ten Year Flood Guidance Level, the High Guidance Level and the Low Guidance Level. There are two Minimum Levels for lakes, the High Minimum Lake Level and the Minimum Lake Level. After the High Minimum Lake Level and Minimum Lake Level for each lake is a designation indicating which of the categories described below applied and, therefore, which method was used to determine the High Minimum Lake Level and the Minimum Lake Level.

(2) Levels for lakes adopted prior to August 7, 2000, are set forth in the table in subsection 40D-8.624(14)(13), F.A.C.

(3) No change.

(4) The High Guidance Level (HGL).

(a) The High Guidance Level (HGL) is provided as an advisory guideline for construction of lake shore development, water dependent structures, and operation of water management structures. Figure 8-2 depicts the method described below for calculating the HGL. The High Guidance Level is the expected Historic P10 of the lake. ~~This level may be calculated based on Historic lake water level or may be estimated from Hydrologic Indicators.~~ For Category 2 lakes as described in paragraph 40D-8.624(8)(7)(b), F.A.C., below, the HGL and the High Minimum Level may be calculated to be the same elevation.

~~(b)(a)~~ The HGL is established using best available information, including:

1. Hydrologic data;
2. Hydrologic Indicators;
3. Where the lake has been Structurally Altered, the apparent effectiveness of the Structural Alterations in controlling water levels; and
4. Other information indicative of previous water levels.

~~(c)(b)~~ Unless the best available information indicates that a different elevation more accurately approximates the Historic P10 of the lake, the HGL shall be established using the following procedure:

1. The HGL shall be established at the Historic P10, if competent Historic data are available.

1. through 4. renumbered 2. through 5. No change.

(5) Historic P50

(a) The Historic P50 is derived to support development of minimum lake levels. Figure 8-3 depicts the method described below for calculating the Historic P50.

(b) The Historic P50 shall be established using competent Historic data, if it is available.

(c) In those cases where competent Historic data are unavailable, but Current data are available, the Historic P50 is determined by first calculating the difference between the Current P10 and the Current P50 ("P10-P50") and comparing this to the region-specific Reference Lake Water Regime 50 (RLWR 50), then:

1. If the Current lake specific P10-P50 difference is greater than the RLWR 50, it is assumed the lake is impacted by water withdrawals, therefore, the Historic P50 is estimated by subtracting the RLWR 50 from the HGL.

2. If the Current lake specific P10-P50 difference is less than the RLWR 50 then the Historic P50 is estimated by subtracting the Current lake specific P10-P50 difference from the HGL.

3. If Current does not exist for the lake, the Historic P50 is estimated by subtracting the RLWR 50 from the HGL.

(5)(a) through (b) renumbered (6)(a) through (b) No change.

(6)(a) through (b) renumbered (7)(a) through (b).

~~(8)(7)~~ The method for establishing the High Minimum Lake Level and the Minimum Lake Level pursuant to subsections 40D-8.624(6)(5) and ~~(7)(6)~~ above, will depend on the category within which the subject lake falls, as follows:

(a) Category 1 Lakes – Those lakes with lake-fringing cypress swamp(s) greater than 0.5 acres in size where Structural Alterations have not prevented the Historic P50 from equaling or rising above an elevation that is 1.8 feet below the normal pool of the cypress swamp(s). Figure 8-3 depicts the method for calculating the Historic P50.

1. The High Minimum Level for Category 1 lakes is established 0.4 feet below the normal pool elevation in the cypress swamp(s) contiguous with the lake.

2. The Minimum Level for Category 1 lakes shall be 1.8 feet below the normal pool elevation in the cypress swamps contiguous with the lake. Figure 8-1 depicts the method for calculating the minimum lake levels for Category 1 lakes.

(b) Category 2 Lakes – Those lakes with lake-fringing cypress swamp(s) greater than 0.5 acres in size where Structural Alterations have prevented the Historic P50 from equaling or rising above an elevation that is equal to an elevation that is 1.8 feet below normal pool and the lake-fringing cypress swamp(s) remain viable and perform functions beneficial to the lake in spite of the Structural Alterations. Figure 8-3 depicts the method for calculating the Historic P50.

1. The High Minimum Level shall be established at the HGL.

2. The Minimum Lake Level shall be established at the Historic P50 elevation. Figure 8-3 depicts the method for calculating the Historic P50. Figure 8-1 depicts the method for calculating the Minimum Lake Level for Category 2 lakes. ~~In those cases where competent Historic are unavailable, but Current are available, the Historic P50 is determined by first calculating the difference between the Current P10 and the Current P50 ("P10-P50") and comparing this to the Reference Lake Water Regime (RLWR) 50, then:~~

~~a. If the Current lake specific P10-P50 difference is greater than the RLWR 50, it is assumed the lake is impacted by water withdrawals, therefore, the Minimum Lake Level is estimated by subtracting the RLWR 50 from the HGL.~~

~~b. If the Current lake specific P10-P50 difference is less than the RLWR 50 then the Minimum Lake Level is estimated by subtracting the Current lake specific P10-P50 difference from the HGL.~~

~~e. If Current does not exist for the lake, the minimum level is estimated by subtracting the RLWR 50 from the HGL.~~

(c) Category 3 Lakes – Those lakes where there are no lake-fringing cypress swamp(s) greater than 0.5 acre in size.

1. High Minimum Level. Once the Minimum Lake Level is identified as described in subparagraph 40D-8.624(8)(c)2., F.A.C., below, the High Minimum Lake Level may be

established, using the region-specific reference lake water regime statistic, or Historic hydrologic data. If Historic data are available, the High Minimum Lake Level may be established at the elevation corresponding to the minimum Lake Level plus the difference between the Historic P10 and the Historic P50. If Historic data are not available, the High Minimum Lake Level may be established at the elevation corresponding to the Minimum Lake Level plus the region-specific RLWR50 value.

2. Reserved for the Minimum Level for Category 3 lakes is established utilizing a process that considers, applying professional experience and judgment, multiple parameters including changes in lake mixing and susceptibility to sediment resuspension, changes in water depth associated with docks, change in basin connectivity, changes in species richness, change in coverage of herbaceous wetland vegetation, change in coverage of aquatic macrophytes, and change in cultural (aesthetic and recreational) values as described below.

a. Lake Mixing Standard and Information for Consideration.

i. Step 1

(a) Establish stage specific dynamic ratio values (square root of the lake surface area in square kilometers divided by the mean depth in meters).

(b) Establish the Mixing Standard at the highest elevation at or below the Historic P50 elevation where the dynamic ratio shifts from a value of <0.8 to a value >0.8 or from a value of >0.8 to a value of <0.8.

ii. Step 2

(a) Develop water column depth profiles of water temperature, and dissolved oxygen concentration during summer months.

iii. Step 3

(a) Based on professional experience and judgment, review all relevant information pertaining to water column mixing and stratification in the lake (including the Mixing Standard and stability of water column thermal stratification) for development of minimum levels.

b. Dock-Use Standard and Information for Consideration

i. Step 1

If boats or other watercraft are used on the lake, determine the elevation of sediments at the end of existing docks, and establish the elevation exceeded by ten percent of the sediment elevation values.

ii. Step 2

(a) If Historic data are available, derive the Dock-Use Standard by adding 2 feet and the difference (in feet) between the Historic P50 and Historic P90 elevation to the elevation exceeded by ten percent of the sediment elevations at the end of existing docks.

(b) If Historic data are not available, derive the Dock-Use Standard by adding 2 feet and the region-specific RLWR5090 value (in feet) to the elevation exceeded by ten percent of the sediment elevations at the end of existing docks.

iii. Step 3

Based on professional experience and judgment, review relevant information pertaining to dock use and dock elevations at the lake (including the Dock-Use Standard) for development of minimum levels.

c. Basin Connectivity Standard and Information for Consideration.

i. Step 1

Determine elevations for areas of potential surface water connectivity among sub-basins within the lake basin or between the lake and other lakes.

ii. Step 2

Identify the highest elevation (or other appropriate elevation in the areas of connectivity) as the critical high-spot elevation.

iii. Step 3

(a) If powerboats are used at the lake and Historic data are available, derive the Basin Connectivity Standard by adding 2 feet and the difference (in feet) between the Historic P50 and Historic P90 elevations to the critical high spot elevation.

(b) If powerboats are used at the lake, and Historic data are not available, derive the Basin Connectivity Standard by adding 2 feet and the region-specific RLWR5090 value (in feet) to the critical high spot elevation.

(c) If powerboats are not used at the lake and Historic data are available, derive the Basin Connectivity Standard by adding 1 foot and the difference (in feet) between the Historic P50 and Historic P90 elevations to the critical high spot elevation.

(d) If powerboats are not used at the lake, and Historic data are not available, derive the Basin Connectivity Standard by adding 1 foot and the region-specific RLWR5090 value (in feet) to the critical high spot elevation.

iv. Step 4

(a) Based on professional experience and judgment, review relevant information pertaining to inter- and intra-basin connections for the lake basin (including the Basin Connectivity Standard) for development of minimum levels.

d. Species Richness Standard and Information for Consideration.

i. Step 1

Determine the lake surface area associated with the Historic P50 elevation.

ii. Step 2

Establish the Species Richness Standard at an elevation corresponding to the lowest elevation associated with less than a 15% reduction in lake surface area relative to the area at the Historic P50 elevation.

iii. Step 3

Based on professional experience and judgment, review relevant information pertaining to biological diversity within the lake basin (including the Species Richness Standard) for development of minimum levels.

e. Herbaceous Wetland Information for Consideration.i. Step 1

Determine stage-specific potential wetland area values (i.e., lake area with a water depth less than or equal to 4 feet) for the lake basin.

ii. Step 2

Identify elevations at which change in lake stage would result in substantial change in potential wetland area within the lake basin.

iii. Step 3

Based on professional experience and judgment, review relevant information pertaining to herbaceous wetlands in the lake basin (including elevations at which change in lake stage would result in substantial change in potential wetland area, and elevations of connections between the lake basin and contiguous wetland areas) for development of minimum levels.

f. Submersed Aquatic Macrophyte Information for Consideration.

i. Step 1

Determine lake-specific maximum depth of colonization values for submersed aquatic macrophytes using a representative, lake-specific Secchi Disk depth value and an empirically-derived relationship between Secchi Disk depth and maximum depth of macrophyte colonization.

ii. Step 2

Determine stage-specific lake area available for submersed aquatic macrophyte colonization using the lake-specific maximum depth of colonization value.

iii. Step 3

Identify elevations at which change in lake stage would result in substantial change in the area available for colonization by submersed aquatic macrophytes.

iv. Step 4

Based on professional experience and judgment, review relevant information pertaining to aquatic macrophyte coverage in the lake basin (including elevations at which change in lake stage would result in substantial change in the area available for colonization by submersed aquatic macrophytes, and coverage that could hinder navigation) for development of minimum levels.

g. Aesthetics Standard and Information for Consideration.i. Step 1

Establish the Aesthetics Standard at the Low Guidance Level.

ii. Step 2

Based on professional experience and judgment, review relevant information pertaining to aesthetic values associated with the lake basin (including the Aesthetics Standard) for development of minimum levels.

h. Recreation/Ski Standard and Information for Consideration.

i. Step 1

Determine whether the lake basin can contain a ski corridor delineated as a circular area with a radius of 418 feet or a rectangular or polygonal area 200 ft in width and 2,000 feet in length.

ii. Step 2

If the lake basin can contain a ski corridor, identify the minimum elevation at which the lake basin can contain a ski corridor with a depth of five feet (Ski Elevation) by adding five feet to the elevation at which the basin can contain the ski corridor.

iii. Step 3

(a) If Historic data are available, derive the Recreation/Ski Standard by adding the difference (in feet) between the Historic P50 and Historic P90 elevations to the Ski Elevation.

(b) If Historic data are not available, derive the Recreational/Ski Standard by adding the region specific RLWR5090 value (in feet) to the Ski Elevation.

iv. Step 4

(a) Compare the Recreation/Ski Standard to the Historic P50 elevation.

(b) If the Recreation/Ski Standard is less than or equal to the Historic P50 elevation, use of the standard for development of the Minimum Lake Level is appropriate.

(c) If the Recreation/Ski Standard is greater than the Historic P50 elevation, use of the standard for development of the Minimum Lake Level is not appropriate.

v. Step 5

(a) Based on professional experience and judgment, review relevant information pertaining to skiing and other recreational activities within the lake basin (including the Recreation/Ski Standard) for development of minimum levels.

i. Establish Minimum Lake Level – Following development of lake-specific standards (Mixing Standard, Dock-Use Standard, Basin Connectivity Standard, Species Richness Standard, Recreation/Ski Standard, Aesthetics Standard) and compilation of other relevant information, the Minimum Lake Level for Category 3 lakes shall be established at the elevation corresponding to the most conservative, i.e., the highest standard, except where that result is an elevation above the Historic P50, in which case the Minimum Level shall be established at the Historic P50 elevation.

(9) Where the Governing Board determines that there are unique factors to be addressed at a particular lake such that the Minimum Level that would be established based upon

subsection 40D-8.624(8), F.A.C., above is inappropriate, the Governing Board shall determine the Minimum High Level and the Minimum Level, as applicable, considering the appropriate category standards described above, and the lake's unique factors. Unique factors include:

(a) Elevations associated with residential dwellings, roads or other structures,

(b) Substantial changes in the coverage of herbaceous wetland vegetation or submersed aquatic macrophytes,

(c) Frequent submergence of dock platforms.

(d)(8) The Governing Board may consider additional information relating to protection of nonconsumptive uses when establishing the High Minimum Lake Level and the Minimum Lake Level, including. This information includes lake vegetation maps, faunal surveys, bathymetric maps, aerial photographs, elevations of docks, seawalls, house slabs, and other structures, typical uses of a lake (e.g. recreation, aesthetics, navigation, irrigation, and surrounding land uses), socio-economic effects of the minimum level and public health, safety and welfare matters.

(10)(9) Low Guidance Level – The Low Guidance Level is provided as an advisory guideline for water dependent structures, information for lake shore residents and operation of water management structures. The Low Guidance Level is the elevation that a lake's water levels are expected to equal or exceed ninety percent of the time on a Long-term basis. Therefore, this is also the elevation that a lake's water levels are expected to be below 10 percent of the time on a Long-term basis. The Low Guidance Level is established as:

(a) The Low Guidance Level (LGL) is established as:

1.(a) The Historic P90 elevation, if competent Historic data are available, or

2. In those cases where competent Historic data are unavailable, but Current data are available, the Low Guidance Level is determined by first calculating the difference between the Current P10 and the Current P90 and comparing this to the region-specific Reference Lake Water Regime 90 (RLWR90), then:

a. If the Current lake specific P10-P90 difference is greater than the RLWR 90, it is assumed the lake is impacted by water withdrawals, therefore, the Low Guidance Level is estimated by subtracting the RLWR 90 from the HGL.

b. If the Current lake specific P10-P90 difference is less than the RLWR 90, then the Low Guidance Level is estimated by subtracting the Current lake specific P10-P90 difference from the HGL.

3.(b) The HGL minus the region-specific RLWR 90 value if competent Historic or Current data are is not available.

(11)(a)(10) The Ten Year Flood Guidance Level is provided as an advisory guideline for lake shore development. The Ten Year Flood Guidance Level incorporates the level of flooding expected on a frequency of not less than the ten year recurring interval, or on a frequency of not greater than a ten percent probability of occurrence in any given year. The Ten Year Flood Guidance Level is established using methods that correspond to the hydrology and type of conveyance system of the lake being evaluated.

(b)(a) Open Basin Lakes That Discharge –

1. Data Available – If lake stage records of sufficient quality and quantity are available, the Ten Year Flood Guidance Level for open-basin lakes will be established using statistics derived from frequency analysis of the stage records (statistical method). Annual peak stages will be ranked and fit to a distribution or plotted to estimate the ten –year peak stage. At least thirty years of hydrologic data are preferred for establishment of the Ten Year Flood Guidance Level using the statistical method. The Ten Year Flood Guidance Level for these lakes shall be established using numerical single storm event models. Rainfall depths shall be taken from Part D of the District's Environmental Resource Permitting Information Manual described and incorporated by reference in Rule 40D-4.091, F.A.C., and is available upon request to the District. Runoff volumes shall be computed using conventional methods such as the Soil Conservation Service (SCS) curve number method, or with standard infiltration formulas (e.g., Horton's Equation, Green-Ampt Equation). Runoff distributions shall be computed using conventional methods including the SCS method or other unit hydrograph methods, or the kinematic wave overland flow method. Modeling programs that account for tailwater and compute backflow (dynamic models) are preferred for the hydraulic routing.

2. Data Not Available – Storm event modeling of open-basin lakes will be utilized when sufficient stage data for use of a statistical method are not available. Rainfall depths used for the process are taken from sources such as the National Weather Service Technical Paper 49, and Part D of the District's Environmental Resource Permitting Information Manual described and incorporated by reference in Rule 40D-4.091, F.A.C. Runoff volumes used for the modeling are computed using conventional methods such as the Natural Resources Conservation Service (NCRS) curve number method, or with standard infiltration formulas (e.g. Horton's Equation, Green-Ampt Equation). Runoff distributions are



computed using conventional methods including the NRCS method or other unit hydrograph methods, or the kinematic wave overland flow method. Modeling programs that account for tailwater and compute backflow (dynamic models) are preferred for the hydraulic routing component of the stormwater event modeling. Methods described in subparagraph 40D-8.624(11)(c)2., F.A.C. "Closed Basin Lakes – Not Available" below can also be applied when the probability of the 10-year flood elevation being exceeded in any given year is influenced by serial correlation to annual peak elevations.

(c)(b) Closed Basin Lakes –

1. Data Available – If lake stage records of sufficient quality and quantity are available, the Ten Year Flood Guidance Level for closed-basin lakes will be established using statistics derived from frequency analysis of the stage record (statistical method). Annual peak stages will be ranked and fit to a distribution or plotted to estimate the ten-year peak stage. As a general rule, at least thirty years of hydrologic data are preferred for establishment of the Ten Year Flood Guidance Level using the statistical method.

2. Data Not Available – Numerical or empirical modeling of closed-basin lakes will be utilized when sufficient stage data for use of a statistical method are not available. Simulation periods of thirty or more years are preferred for either numerical or empirical modeling techniques. A composite record of rainfall records from more than one rainfall station in the region in which the subject lake is located may be used for the process. Calibration of the simulation model shall be based on stage records, Hydrologic Indicators of water level, and eye-witness accounts of peak stages. Model simulations to determine the Ten Year Flood Guidance Level will exclude effects of water withdrawals.

~~The Ten Year Flood Guidance Level for closed basin lakes shall be derived using a frequency analysis of lake stage readings, or lake stages predicted by a physically based numerical "continuous simulation model," or an empirical simulation model derived by regression methods. The selection of one of these described methods shall be based on reasonable scientific judgment. The simulation periods for either numerical or empirical models shall be based on not less than thirty years of contiguous rainfall record. A composite of more than one rainfall station in the region in which the subject lake is located is acceptable. Calibration of the simulation model shall be based on as many of the following indicators as possible: stage records and Hydrologic Indicators of water levels. If stage records or Hydrologic Indicators do not exist or the record does not contain peak elevation readings, then eye-witness accounts of peak stages shall be considered. Model simulations to determine the Ten Year Flood Guidance Level shall exclude effects of water withdrawals.~~

~~(12)(11) Posted Notice~~

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

~~(13)(12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(7), F.A.C., to establish the level. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(14)(13), F.A.C., below.~~

Table 8-2 Minimum and Guidance Lake Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.						
Location by County and Basin	Name of Lake and Section, Township and Range Information	Ten Year Flood Guidance Level	High Guidance Level	High Minimum Lake Level	Low Guidance Level	Minimum Lake Level
(a) In Charlotte County Within the Peace River Basin RESERVED						
(b) In Citrus County Within the Coastal Rivers Basin RESERVED						
(c) In Citrus County Within the Withlacoochee River Basin RESERVED						
(d) In DeSoto County Within the Peace River Basin RESERVED						
(e) In Hardee County Within the Peace River Basin RESERVED						
(f) In Hernando County Within the Coastal Rivers Basin RESERVED						
(g) In Hernando County Within the Hillsborough River Basin RESERVED						
(h) In Hernando County Within the Withlacoochee River Basin RESERVED						
(i) In Highlands County Within the Peace River Basin RESERVED						
(j) In Hillsborough County Within the Alafia River Basin RESERVED						

(k) In Hillsborough County Within the Hillsborough River Basin RESERVED	Stemper Lake S-13, T-27, R-18 (Levels in feet NGVD)	62.6	61.2	60.8 (CAT 1)	59.1	59.4 (CAT 1)
(l) In Hillsborough County Within the Northwest Hillsborough Basin	Sapphire Lake S-14, T-27, R-18 (Levels in feet NGVD)	64.1	63.4	63.0 (CAT 1)	61.3	61.6 (CAT 1)
	Cypress Lake S-24, T-27, R-17	<u>50.86</u>	<u>48.89</u>	<u>48.89</u> <del>RESERVED</del> (CAT 3)	<u>46.79</u>	<u>47.89</u> (CAT 3)
	Dosson Lake S-20, T-27, R-18 (Levels in feet NGVD)	55.1	53.4	53.4 (CAT 2)	51.3	52.4 (CAT 2)
	Sunshine Lake S-20, T-27, R-18 (Levels in feet NGVD)	55.1	53.4	53.4 (CAT 2)	51.3	52.4 (CAT 2)
	Lake Helen S-19, T-27, R-18	<u>54.96</u> <del>RESERVED</del>	<u>53.15</u> <del>RESERVED</del>	<u>53.15</u> <del>RESERVED</del> (CAT 3)	<u>51.05</u> <del>RESERVED</del>	<u>52.15</u> <del>RESERVED</del> (CAT 3)
	Lake Ellen S-19, T-27, R-18	<u>54.96</u> <del>RESERVED</del>	<u>53.15</u> <del>RESERVED</del>	<u>53.15</u> <del>RESERVED</del> (CAT 3)	<u>51.05</u> <del>RESERVED</del>	<u>52.15</u> <del>RESERVED</del> (CAT 3)
	Lake Barbara S-19, T-27, R-18	<u>54.96</u> <del>RESERVED</del>	<u>53.15</u> <del>RESERVED</del>	<u>53.15</u> <del>RESERVED</del> (CAT 3)	<u>51.05</u> <del>RESERVED</del>	<u>52.15</u> <del>RESERVED</del> (CAT 3)
	Little Moon Lake S-28, T-27, R-17 (Levels in feet NGVD)	40.8	39.1	39.1 (CAT 2)	37.0	38.1 (CAT 2)
	Hobbs S-1, T-27, R-18	<u>67.75</u> <del>RESERVED</del>	<u>65.46</u> <del>RESERVED</del>	<u>65.46</u> <del>RESERVED</del> (CAT 23)	<u>63.36</u> <del>RESERVED</del>	<u>64.46</u> <del>RESERVED</del> (CAT 23)
	Brant S-23, T-27, R-18 (Levels in feet NGVD)	60.5	58.0	58.0 (CAT 2)	55.9	57.0 (CAT 2)
	Crenshaw S-22, T-27, R-18	<u>57.64</u> <del>RESERVED</del>	<u>55.5</u> <del>RESERVED</del>	<u>54.45</u> <del>RESERVED</del> (CAT 3)	<u>53.4</u> <del>RESERVED</del>	<u>53.45</u> <del>RESERVED</del> (CAT 3)
	Starvation S-21, T-27, R-18	RESERVED	RESERVED	RESERVED (CAT 3)	RESERVED	RESERVED (CAT 3)
	Deer S-1, T-27, R-18 (Levels in feet NGVD)	70.0	66.5	66.5 (CAT 2)	64.4	65.5 (CAT 2)

	Alice S-16, T-27, R-17 (Levels in feet NGVD)	42.4	40.9	40.9 (CAT 2)	38.8	39.9 (CAT 2)
	Calm S-14, T-27, R-17	<del>51.02</del> RESERVED	<del>49.41</del> RESERVED	<del>49.41</del> RESERVED (CAT 3)	<del>47.31</del> RESERVED	<del>48.41</del> RESERVED (CAT 3)
	Rainbow S-22, T-27, R-17 (Levels in feet NGVD)	40.8	39.1	39.1 (CAT 2)	37.0	38.1 (CAT 2)
	Juanita S-22, T-27, R-17 (Levels in feet NGVD)	43.8	41.7	41.7 (CAT 2)	39.6	40.7 (CAT 2)
	Horse S-26, T-27, R-17	RESERVED	RESERVED	RESERVED (CAT 3)	RESERVED	RESERVED (CAT 3)
	Fairy (Maurine) S-34, T-27, R-17	<del>34.51</del> RESERVED	<del>33.41</del> RESERVED	<del>33.41</del> RESERVED (CAT 3)	<del>31.31</del> RESERVED	<del>32.41</del> RESERVED (CAT 3)
	Halfmoon S-31, T-27, R-18	<del>45.07</del> RESERVED	<del>43.3</del> RESERVED	<del>43.3</del> RESERVED (CAT <del>2</del> 3)	<del>41.2</del> RESERVED	<del>42.3</del> RESERVED (CAT <del>2</del> 3)
	Raleigh S-27, T-27, R-17	RESERVED	RESERVED	RESERVED (CAT 3)	RESERVED	RESERVED (CAT 3)
	Rogers S-27, T-27, R-17	Not Available	RESERVED	RESERVED (CAT 3)	RESERVED	RESERVED (CAT 3)
	Sunset S-17, T-27, R-17 (Levels in feet NGVD)	35.0	34.8	34.4 (CAT 1)	32.7	33.0 (CAT 1)
	Bird S-26, T-27, R-18 (Levels in feet NGVD)	53.0	49.6	49.6 (CAT 2)	47.5	48.6 (CAT 2)
	Crystal S-14, T-27, R-18 (Levels in feet NGVD)	62.1	59.8	59.8 (CAT 2)	57.7	58.8 (CAT 2)
	Merrywater S-22, T-27, R-18 (Levels in feet NGVD)	58.0	55.8	55.8 (CAT 2)	53.7	54.8 (CAT 2)
	Round S-22, T-27, R-18	<del>56.49</del> Not Available	<del>55.6</del> RESERVED	<del>54.5</del> RESERVED (CAT 3)	<del>53.5</del> RESERVED	<del>53.5</del> RESERVED (CAT 3)
	Church S-28, T-27, R-17	<del>36.74</del> RESERVED	<del>35.64</del> RESERVED	<del>35.64</del> RESERVED (CAT 3)	<del>33.54</del> RESERVED	<del>34.64</del> RESERVED (CAT 3)

	Echo S-28, T-27, R-17	<del>36.74</del> RESERVED	<del>35.64</del> RESERVED	<del>35.64</del> RESERVED (CAT 3)	<del>33.54</del> RESERVED	<del>34.64</del> RESERVED (CAT 3)
	Saddleback S-22, T-27, R-18	<del>56.11</del>	<del>54.58</del>	<del>54.58</del> (CAT 2)	<del>52.48</del>	<del>53.58</del> (CAT 2)
(m) In Lake County Within the Green Swamp Basin RESERVED						
(n) In Levy County Within the Withlacochee River Basin RESERVED						
(o) In Manatee County Within the Manasota River Basin RESERVED						
(p) In Marion County Within the Withlacochee River Basin RESERVED						
(q) In Pasco County Within the Coastal Rivers Basin	Big Fish Lake S-21, T-24, R-19	<del>77.41</del> RESERVED	<del>76.05</del> RESERVED	<del>75.65</del> RESERVED (CAT 3)	<del>71.75</del> RESERVED	<del>73.05</del> RESERVED (CAT 3)
(r) In Pasco County Within the Green Swamp Basin RESERVED						
(s) In Pasco County Within the Hillsborough County Basin RESERVED						
(t) In Pasco County Within the Pinellas-Anclotte River Basin	Camp Lake S-34, T-26, R-18 (Levels in feet NGVD)	64.3	63.8	63.4 (CAT 1)	61.3	62.0 (CAT 1)
(u) In Pasco County Within the Withlacochee River Basin RESERVED						
(v) In Pinellas County Within the Pinellas-Anclotte River Basin RESERVED						

(w) In Polk County Within the Alafia River Basin RESERVED						
(x) In Polk County Within the Green Swamp Basin RESERVED						
(y) In Polk County Within the Hillsborough River Basin RESERVED						
(z) In Polk County Within the Peace River Basin RESERVED						
(aa) In Sarasota County Within the Manasota Basin RESERVED						
(bb) In Sumter County Within the Green Swamp Basin RESERVED						
<u>(cc) In Sumter County Within the Withlacoochee River Basin RESERVED</u>						

(14)(13) Guidance Levels established for lakes prior to August 7, 2000, are set forth in the following table:

Location of Impoundment by County and Basin	Ten (10) Year Flood Guidance Level in Feet Above Mean Sea Level (msl)	High Level in Feet Above Mean Sea Level (msl)	Low Level in Feet Above Mean Sea Level (msl)	Extreme Low Level in Feet Above Mean Sea Level (msl)
(a) In Charlotte County Within the Peace River Basin				
(b) In Citrus County Within the Coastal Rivers Basin				
(c) In Citrus County Within the Withlacoochee River Basin				
Lake Bradley S23 T20S R20E	43.40'	42.50'	40.25'	38.25'
Lake Cato S5 T19 R20	38.82'	38.00'	35.50'	34.00'
Lake Connell S6 T19 R20	35.68'	35.50'	32.00'	30.00'

Lake Cooter S17 T19 R20	41.80'	40.50'	38.25'	36.25'
Lake Hog Pond (Nina) S2 T19 R19	35.92'	34.50'	32.00'	30.00'
Lake Holden (Inverness) S32 T19 R20	32.44'	32.00'	29.50'	28.00'
Lake Magnolia S3 T20 R20	32.36'	31.00'	28.50'	27.00'
Lake Rush (Williams) S3 T17 R18	36.20'	35.75'	33.25'	31.25'
Lake Tsala Apopka (Hernando Pool) Sec. Twsp. Rng. 1 18S 19E 2 18S 19E 11 18S 19E 12 18S 19E 13 18S 19E 23 18S 19E 24 18S 19E 25 18S 19E 26 18S 19E 5 18S 20E 6 18S 20E 7 18S 20E 8 18S 20E 16 18S 20E 17 18S 20E 18 18S 20E 19 18S 20E 20 18S 20E 21 18S 20E 27 18S 20E 28 18S 20E	40.50'	39.00'	36.75'	34.75'
29 18S 20E 30 18S 20E 31 18S 20E 32 18S 20E 33 18S 20E				
Lake Tsala Apopka (Inverness Pool) 33 18S 20E 34 18S 20E 35 18S 20E 1 19S 20E 2 19S 20E 3 19S 20E 4 19S 20E 8 19S 20E 9 19S 20E 10 19S 20E 11 19S 20E 12 19S 20E 13 19S 20E	41.80'	40.50'	38.25'	36.25'

14 19S 20E 15 19S 20E 16 19S 20E 17 19S 20E 21 19S 20E 22 19S 20E 23 19S 20E 18 19S 21E 19 19S 21E				
Lake Tsala Apopka (Floral City Pool) 19 19S 21E 21 19S 21E 22 19S 21E 27 19S 21E 28 19S 21E 29 19S 21E 30 19S 21E 31 19S 21E 32 19S 21E 33 19S 21E 34 19S 21E 1 20S 20E 2 20S 20E	43.40'	42.50'	40.25'	38.25'
3 20S 20E 10 20S 20E 11 20S 20E 12 20S 20E 13 20S 20E 14 20S 20E 3 20S 21E 4 20S 21E 5 20S 21E 6 20S 21E 7 20S 21E 8 20S 21E 17 20S 21E 18 20S 21E 25 19S 20E 26 19S 20E 34 19S 20E 35 19S 20E 36 19S 20E				
Little Lake (Consuella) S15 T20S R20E	43.40'	41.50'	39.00'	37.25'
Lake Twin S6 T19 R20	38.11'	37.00'	35.00'	33.00'
(d) In DeSoto County Within the Peace River Basin				
(e) In Hardee County Within the Peace River Basin				
(f) In Hernando County Within the Coastal Rivers Basin				



(g) In Hernando County Within the Hillsborough River Basin LAKES				
Nicks Lake S29 T23S R20E	114.46'	113.00'	110.50'	108.50'
St. Clair Lake S33 T23S R20E	114.46'	113.00'	110.50'	108.50'
(h) In Hernando County Within the Withlacoochee River Basin LAKES				
Elizabeth Lake S11 T23S R21E	62.90'	60.25'	57.00'	55.50'
Francis, Lake 11 23S 21E	62.90'	60.25'	57.00'	55.50'
Geneva, Lake 11 23S 21E	62.90'	60.25'	57.00'	55.50'
Lindsey, Lake 25 23S 19E	70.60'	69.00'	66.00'	64.50'
Mountain Lake 16 23S 20E	105.10'	104.00'	101.00'	99.00'
Neff Lake 20 23S 20E	104.40'	103.00'	100.00'	98.00'
Sparkman Lake 24 23S 19E	94.40'	91.50'	89.00'	88.00'
Spring Lake S15 T23S R20E	185.02'	184.25'	181.25'	178.25'
(i) In Highlands County Within the Peace River Basin LAKES Sec Twsp Rng				
Adelaide, Lake 5 33S 28E	110.00'	106.50'	104.00'	102.50'
Angelo, Lake 4 27S 25E	104.00'	99.50'	97.00'	95.00'
Anoka, Lake 27 33S 28E	124.00'	124.00'	122.00'	120.00'
Apthorpe, Lake 18 36S 30E	72.00'	71.50'	68.00'	66.00'
Blue, Lake 30 36S 30E	78.70'	77.50'	75.00'	73.50'
Bonnet, Lake 8 34S 29E	91.90'	90.75'	88.00'	86.00'
Brentwood, Lake 10 33S 28E	102.30'	102.75'	99.50'	98.00'
Buck, Lake 29 37S 30E	96.40'	94.00'	91.50'	89.50'
Byrd, Lake 9 33S 28E	110.60'	108.25'	105.50'	104.00'
Carrie, Lake 21 36S 29E	75.13'	75.50'	73.00'	72.50'

Charlotte, Lake 17 35S 29E	93.90'	93.75'	91.25'	89.75'
Chilton, Lake 17 33S 28E	116.30'	114.00'	111.00'	109.50'
Clay, Lake 29 36S 30E	79.00'	78.75'	76.00'	75.00'
Crews, Lake 32 36S 29E	120.50'	119.50'	117.00'	115.50'
Damon, Lake 3 33S 28E	102.30'	101.00'	98.00'	95.00'
Denton, Lake 2 34S 28E	117.10'	116.50'	114.00'	112.00'
Dinner, Lake 17 34S 29E	103.50'	102.50'	98.50'	97.00'
Francis, Lake 22 36S 29E	70.80'	70.50'	67.50'	66.50'
Glenada, Lake 34 33S 28E	118.40'	120.00'	117.00'	115.50'
Grassy, Lake 17 37S 30E	92.10'	91.50'	88.50'	87.50'
Harry, Lake 1 36S 29E	67.60'	67.50'	63.00'	62.00'
Henry, Lake 25 36S 29E	75.13'	75.50'	73.00'	72.50'
Hill 17 36S 29E	101.00'	99.25'	96.00'	94.50'
Huckleberry Lake 7 35S 29E	104.80'	104.50'	102.00'	101.00'
Huntley, Lake 5 37S 30E	83.40'	83.75'	81.00'	79.50'
Jackson, Lake 30 34S 29E	103.20'	103.00'	100.00'	98.00'
Josephine, Lake 32 35S 29E	72.70'	72.50'	69.00'	68.50'
June-in-Winter, Lake 34 36S 29E	75.13'	75.50'	73.00'	72.50'
Lake Lachard 36 36S 29E	79.56'	78.50'	76.00'	74.00'
Lelia, Lake 34 33S 29E	113.00'	114.50'	112.50'	110.50'
Letta, Lake 31 33S 29E	100.00'	100.00'	97.00'	95.00'
Little Bonnet Lake 36 33S 28E	101.70'	100.00'	97.00'	96.00'
Little Lake Jackson 6 35S 29E	103.20'	103.00'	100.00'	98.00'
Little Red Water Lake 14 36S 29E	104.10'	103.25'	100.50'	98.50'

Lost 12 37S 29E	90.60'	88.00'	84.00'	82.75'
Lotela, Lake 26 33S 28E	106.60'	108.50'	105.00'	104.00'
McCoy, Lake 6 37S 30E	87.39'	87.00'	84.00'	82.00'
Mirror, Lake 7 37S 30E	94.70'	93.50'	90.00'	88.00'
Center Nellie 13 36S 29E	73.20'	71.50'	67.00'	65.00'
N.W. Nellie 13 36S 29E	73.20'	71.50'	67.00'	65.00'
S.E. Nellie 13 36S 29E	73.20'	71.50'	67.00'	65.00'
Olivia, Lake 6 33S 28E	118.10'	117.50'	114.50'	113.00'
Pearl, Lake 6 37S 30E	87.27'	87.00'	84.00'	82.00'
Persimmon 10 36S 29E	69.30'	68.25'	65.00'	63.50'
Pioneer, Lake 11 33S 28E	108.60'	108.00'	104.50'	103.00'
Placid, Lake 30 36S 30E	94.70'	94.50'	91.50'	90.00'
Pythias, Lake 2 33S 28E	101.20'	101.00'	98.00'	95.00'
Red Beach Lake 15 35S 29E	76.80'	76.50'	73.75'	72.75'
Red Water Lake 14 36S 29E	70.80'	70.50'	67.50'	66.50'
Ruth, Lake 18 35S 29E	94.20'	94.00'	91.50'	90.00'
Saddlebags, Lake 6 37S 30E	84.27'	84.00'	81.00'	79.00'
Sebring, Lake 14 34S 28E	107.60'	107.25'	104.50'	103.00'
Simmons 24 36S 29E	74.30'	72.50'	68.00'	66.50'
Sirena, Lake 1 37S 29E	87.27'	87.00'	84.00'	82.00'
Trout Lake 34 32S 28E	100.60'	101.00'	98.00'	95.00'
Tulane, Lake 27 33S 28E	120.50'	120.00'	116.00'	114.00'
Unnamed Lake (B) 20 37S 30E	92.10'	91.50'	88.50'	87.50'
Unnamed Lake (F) 24 36S 29E	78.50'	78.00'	74.00'	72.00'

Verona, Lake 23 33S 28E	123.00'	119.00'	115.25'	113.00'
Viola, Lake 14 33S 28E	112.20'	109.50'	105.75'	104.00'
Wolf Lake 24 35S 28E	93.80'	92.50'	90.00'	88.00'
(j) In Hillsborough County Within the Alafia River Basin LAKES				
Carlton Lake	93.60'	93.50'	90.50'	88.00'
Edward Medard Reservoir	67.10'	62.75'	57.50'	56.00'
Grady Lake	40.70'	39.00'	36.00'	34.00'
Hickory Hammock Lake	32.80'	32.25'	30.50'	29.00'
Unnamed Lake #2	56.00'	56.00'	No Recommendation	
Wimauma, Lake	87.20'	86.75'	83.00'	81.00'
(k) In Hillsborough County Within the Hillsborough River Basin LAKES				
Bellows Lake (East Lake)	24.50'	23.75'	21.50'	19.00'
Burrell Lake	50.50'	50.00'	47.50'	45.00'
Commiston Lake	64.20'	63.00'	60.50'	59.00'
Eckles Lake	33.40'	32.50'	30.00'	28.00'
Egypt Lake	38.50'	37.50'	35.00'	32.50'
Gornito Lake	39.00'	38.50'	36.00'	34.00'
Hanna Lake	63.50'	62.50'	59.50'	58.25'
Hart Lake	67.20'	66.00'	64.00'	63.00'
Hog Island Lake	67.00'	66.00'	64.00'	61.00'
Hooker Lake	45.50'	45.00'	43.00'	42.00'
Kathy, Lake	45.50'	43.50'	42.50'	42.00'
Keene Lake	63.90'	63.00'	60.50'	59.00'
Kell Lake	67.30'	66.00'	63.50'	62.50'
Long Lake	52.00'	50.25'	48.00'	46.00'
Long Pond	48.50'	46.50'	44.00'	42.00'
Mud Lake (Lake Walder)	115.80'	115.00'	112.50'	110.50'
Thonotosassa, Lake	39.10'	37.00'	34.50'	33.00'
Unnamed Lake	63.40'	63.00'	60.50'	59.00'
Unnamed Lake	62.00'	61.00'	58.50'	57.00'
Valrico Lake	48.50'	45.00'	42.50'	41.00'
Weeks, Lake	43.80'	43.25'	41.00'	39.50'
(l) In Hillsborough County Within the Northwest Hillsborough Basin LAKES Sec Twsp Rng				
<b>SWEETWATER CREEK WATERSHED</b>				
Avis Lake 15 28S 18E	38.50'	37.00'	34.50'	32.50'
Bay Lake	47.00'	46.75'	44.00'	42.50'

Boat Lake	38.00 <sup>3</sup>	35.50 <sup>3</sup>	33.75 <sup>3</sup>	31.25 <sup>3</sup>
Brooker Lake	66.00 <sup>3</sup>	64.25 <sup>3</sup>	61.00 <sup>3</sup>	59.00 <sup>3</sup>
Carroll Lake	38.50 <sup>3</sup>	37.00 <sup>3</sup>	34.50 <sup>3</sup>	32.50 <sup>3</sup>
Chapman Lake	52.30 <sup>3</sup>	52.25 <sup>3</sup>	49.50 <sup>3</sup>	48.00 <sup>3</sup>
Charles, Lake	56.10 <sup>3</sup>	54.75 <sup>3</sup>	52.00 <sup>3</sup>	50.00 <sup>3</sup>
Cooper, Lake	64.00 <sup>3</sup>	61.75 <sup>3</sup>	59.75 <sup>3</sup>	57.00 <sup>3</sup>
<del>Crenshaw, Lake</del>	<del>57.50<sup>2</sup></del>	<del>56.25<sup>2</sup></del>	<del>54.50<sup>2</sup></del>	<del>51.00<sup>2</sup></del>
Elaine, Lake 15 28S 18E	38.50 <sup>3</sup>	37.00 <sup>3</sup>	34.50 <sup>3</sup>	32.50 <sup>3</sup>
<del>Ellen, Lake</del>	<del>41.80<sup>2</sup></del>	<del>41.50<sup>2</sup></del>	<del>39.00<sup>2</sup></del>	<del>37.00<sup>2</sup></del>
Gass Lake	51.50 <sup>3</sup>	49.50 <sup>3</sup>	46.25 <sup>3</sup>	44.50 <sup>3</sup>
George, Lake	51.00 <sup>3</sup>	48.00 <sup>3</sup>	45.00 <sup>3</sup>	42.00 <sup>3</sup>
Geraci, Lake	65.00 <sup>3</sup>	63.50 <sup>3</sup>	61.50 <sup>3</sup>	59.50 <sup>3</sup>
Halls Lake 3 28S 18E	50.70 <sup>3</sup>	50.00 <sup>3</sup>	47.50 <sup>3</sup>	46.00 <sup>3</sup>
<del>Hobbs, Lake</del>	<del>68.20<sup>2</sup></del>	<del>66.75<sup>2</sup></del>	<del>63.25<sup>2</sup></del>	<del>61.50<sup>2</sup></del>
Lipse, Lake	42.50 <sup>3</sup>	41.50 <sup>3</sup>	39.00 <sup>3</sup>	37.00 <sup>3</sup>
Magdalene, Lake	50.70 <sup>3</sup>	50.00 <sup>3</sup>	47.50 <sup>3</sup>	46.00 <sup>3</sup>
Platt Lake	51.80 <sup>3</sup>	50.50 <sup>3</sup>	45.75 <sup>3</sup>	46.00 <sup>3</sup>
Reinheimer, Lake	61.50 <sup>3</sup>	59.50 <sup>3</sup>	57.00 <sup>3</sup>	56.00 <sup>3</sup>
<del>Saddleback Lake</del>	<del>56.50<sup>2</sup></del>	<del>55.50<sup>2</sup></del>	<del>53.00<sup>2</sup></del>	<del>52.00<sup>2</sup></del>
Strawberry Lake	62.80 <sup>3</sup>	62.00 <sup>3</sup>	59.75 <sup>3</sup>	57.00 <sup>3</sup>
Thomas, Lake	64.00 <sup>3</sup>	63.50 <sup>3</sup>	61.25 <sup>3</sup>	59.25 <sup>3</sup>
Twin Lake	34.00 <sup>3</sup>	32.00 <sup>3</sup>	30.00 <sup>3</sup>	27.75 <sup>3</sup>
White Trout Lake	38.50 <sup>3</sup>	36.50 <sup>3</sup>	34.00 <sup>3</sup>	32.50 <sup>3</sup>
ROCKY CREEK WATERSHED				
Allen, Lake	62.60 <sup>3</sup>	62.50 <sup>3</sup>	59.75 <sup>3</sup>	57.50 <sup>3</sup>
Armistead, Lake	46.50 <sup>3</sup>	44.00 <sup>3</sup>	40.50 <sup>3</sup>	39.00 <sup>3</sup>
Browns Lake	63.70 <sup>3</sup>	63.50 <sup>3</sup>	60.75 <sup>3</sup>	59.00 <sup>3</sup>
<del>Halfmoon Lake</del>	<del>47.00<sup>2</sup></del>	<del>45.00<sup>2</sup></del>	<del>42.00<sup>2</sup></del>	<del>39.00<sup>2</sup></del>
Harvey, Lake	62.90 <sup>3</sup>	62.50 <sup>3</sup>	60.25 <sup>3</sup>	58.00 <sup>3</sup>
Josephine, Lake	47.50 <sup>3</sup>	46.00 <sup>3</sup>	42.75 <sup>3</sup>	40.00 <sup>3</sup>
LeClare, Lake	53.50 <sup>3</sup>	52.00 <sup>3</sup>	49.50 <sup>3</sup>	47.00 <sup>3</sup>
Pretty Lake	46.70 <sup>3</sup>	45.50 <sup>3</sup>	42.75 <sup>3</sup>	40.00 <sup>3</sup>
Rock Lake	48.00 <sup>3</sup>	46.00 <sup>3</sup>	42.75 <sup>3</sup>	40.00 <sup>3</sup>
Starvation Lake	55.00 <sup>3</sup>	53.00 <sup>3</sup>	50.00 <sup>3</sup>	48.00 <sup>3</sup>
Turkey Ford Lake	55.00 <sup>3</sup>	54.00 <sup>3</sup>	51.50 <sup>3</sup>	50.00 <sup>3</sup>
Virginia Lake	63.00 <sup>3</sup>	62.50 <sup>3</sup>	60.25 <sup>3</sup>	58.00 <sup>3</sup>
DOUBLEBRANCH CREEK WATERSHED				
<del>Fairy Lake</del>	<del>36.00<sup>2</sup></del>	<del>34.75<sup>2</sup></del>	<del>32.00<sup>2</sup></del>	<del>29.50<sup>2</sup></del>
Hixon Lake	37.00 <sup>3</sup>	36.50 <sup>3</sup>	33.25 <sup>3</sup>	31.00 <sup>3</sup>
Unnamed Lake #1 2 28S 17E	38.90 <sup>3</sup>	37.50 <sup>3</sup>	35.00 <sup>3</sup>	34.50 <sup>3</sup>
Unnamed Lake #2 2 28S 17E	38.90 <sup>3</sup>	37.50 <sup>3</sup>	35.00 <sup>3</sup>	34.50 <sup>3</sup>
BROOKER CREEK WATERSHED				

Artillery, Lake 3 27S 17E	44.50'	44.00'	40.50'	39.00'
Buck Lake	35.50'	35.00'	32.00'	29.50'
<del>Calm Lake</del>	<del>52.20<sup>2</sup></del>	<del>50.50<sup>2</sup></del>	<del>47.50<sup>2</sup></del>	<del>45.50<sup>2</sup></del>
<del>Church Lake</del>	<del>36.40<sup>2</sup></del>	<del>36.25<sup>2</sup></del>	<del>34.00<sup>2</sup></del>	<del>31.50<sup>2</sup></del>
Crescent Lake	44.20'	42.50'	40.00'	38.50'
<del>Echo Lake</del>	<del>36.40<sup>2</sup></del>	<del>36.25<sup>2</sup></del>	<del>34.00<sup>2</sup></del>	<del>31.50<sup>2</sup></del>
Elizabeth Lake	54.00'	53.00'	51.00'	49.00'
Fern, Lake	48.00'	46.00'	43.00'	41.50'
Frances, Lake	42.50'	40.50'	38.00'	36.00'
Garden Lake	35.00'	32.00'	29.00'	26.50'
Horse Lake	48.40'	46.50'	44.00'	42.00'
Island Ford Lake	42.30'	41.50'	39.00'	37.00'
Jackson, Lake	36.00'	33.50'	31.00'	29.00'
James Lake 23 27S 17E	47.70'	46.50'	43.50'	42.00'
Keystone Lake	43.20'	42.00'	39.75'	39.00'
Little Lake 23 27S 17E	47.70'	46.50'	43.50'	42.00'
Mound Lake	51.60'	51.00'	48.00'	46.00'
Raleigh, Lake	43.30'	42.50'	38.00'	35.00'
Rogers, Lake	NO LEVELS RECOMMENDED			
Taylor, Lake	39.70'	39.25'	36.75'	34.75'
Velburton Lake	41.50'	40.00'	37.25'	35.00'
ANCLOTE RIVER WATERSHED				
Dan, Lake	35.00'	32.00'	28.00'	25.00'
Hiawatha, Lake	52.50'	50.50'	48.00'	45.00'
Osceola, Lake	47.40'	46.50'	44.50'	42.50'
(m) In Lake County Within the Green Swamp Basin				
(n) In Levy County Within the Withlacoochee River Basin				
Marion, Lake S02 T14 R17	56.60'	53.00'	50.50'	48.50'
(o) In Manatee County Within the Manasota Basin				
(p) In Marion County Within the Withlacoochee River Basin				
Bonable, Lake S31 T15 R18	65.10'	64.00'	61.50'	59.50'
Little Bonable, Lake S30 T15 R18	59.80'	58.00'	55.50'	53.50'
Tiger, Lake S32 T15 R18	65.10'	64.00'	61.50'	59.50'
(q) In Pasco County Within the Coastal Rivers Basin LAKES				

Crews Lake S16 T24S R18E	57.00'	55.00'	52.00'	50.00'
Garden Lake S16 T25S R16E	22.10'	19.00'	16.25'	15.75'
Moon Lake S28 T25S R17E	41.00'	40.50'	37.50'	35.50'
Pasco Lake S22 T24S R18E	67.50'	67.00'	64.00'	62.00'
Pierce Lake S9 T25S R18E	73.60'	73.00'	70.00'	68.00'
Richey Lake S3 T26S R16E	14.10'	13.00'	10.00'	8.00'
Unnamed Lake No. 22 S27 T24S R18E	62.60'	62.50'	59.50'	57.50'
Worrell, Lake (Bass Lake) S26 T25S R16E	22.10'	19.00'	16.25'	15.75'
(r) In Pasco County Within the Green Swamp Basin				
(s) In Pasco County Within the Hillsborough River Basin LAKES				
Bell Lake S13 T26S R18E	72.53'	72.50'	70.00'	69.00'
Bird Lake	67.70'	67.50'	65.00'	63.00'
Catfish Lake S30 T25 R19	68.72'	68.00'	65.50'	63.50'
Cow (East) Lake S19 T26S R19E	78.63'	78.50'	76.00'	75.00'
Floyd, Lake S36 T26 R19	68.41'	68.50'	66.00'	64.00'
Gooseneck, Lake S29 T26 R19	75.10'	73.50'	71.00'	69.00'
Hancock, Lake S5 T24S R20E	107.48'	106.50'	104.00'	102.00'
Hog (Joyce) Lake S19 T26S R19E	76.66'	76.50'	73.50'	72.50'
Iola, Lake S15 T24S R20E	147.55'	147.50'	145.00'	142.50'
Jessamine, Lake S11 T24S R20E	144.18'	142.00'	138.00'	136.00'
JoAnn, Lake S30 T26 R19	68.72'	68.00'	65.50'	63.50'
King Lake S7 T26S R19E	73.58'	73.50'	71.50'	69.50'
King Lake (East) S22 T25S R20E	105.49'	105.25'	102.50'	100.00'
Middle Lake S4 T24S R20E	107.48'	107.00'	105.00'	103.00'

Moody Lake S10 T24S R20E	110.48'	110.00'	107.50'	105.50'
Myrtle, Lake S30 T26 R19	68.72'	68.00'	65.50'	63.50
Padgett, Lake S24 T26S R18E	71.34'	71.25'	69.00'	67.50'
Saxon Lake S30 T26S R19E	71.34'	71.25'	69.00'	67.50'
Tampa (Turtle) Lake S32 T26 R19	66.00'	65.50'	63.00'	61.00'
Toni, Lake S30 T26 R19	68.72'	68.00'	65.50'	63.50'
Twin, Lake S28 T26 R19	68.35'	67.50'	65.00'	63.00'
Unnamed #26 S25 T26 R18	68.75'	68.00'	65.50'	63.50'
(t) In Pasco County Within the Pinellas-Anclote River Basin LAKES				
Bass Lake (Holiday) S34 T26E R17S	48.80'	48.75'	45.75'	45.00'
Big Lake Vienna 23 26 18	70.70'	70.25'	67.00'	65.00'
Fishing Lake S34 T26E R17S	48.80'	48.75'	45.75'	45.00'
Geneva Lake (Mud) S26 T26E R17S	51.20'	50.00'	48.00'	46.00'
Linda 26 26 18	67.30'	66.75'	64.00'	62.00'
Little Moss (Como) 35 26 18	67.00'	66.00'	63.00'	62.00'
Minniola, Lake S34 T26E R17S	51.20'	50.00'	48.00'	46.00'
Moss 35 26 18	65.00'	64.00'	61.50'	59.00'
Parker Lake (Ann) S35 T26E R17S	48.80'	48.75'	45.75'	45.00'
Seminole, Lake S35 T26E R17S	49.20'	48.75'	46.00'	45.00'
Thomas 11 26 18	75.60'	75.00'	72.50'	71.50'
Wistaria 2 26 18	74.90'	74.00'	71.00'	69.00'
(u) In Pasco County Within the Withlacoochee River Basin LAKES				
Buddy, Lake S17 T25S R21E	97.02'	94.50'	91.50'	90.00'
Pasadena, Lake S16 T25S R21E	97.02'	94.50'	91.50'	90.00'



Clear Lake S1 T25S R20E	127.90'	127.50'	125.25'	123.75'
(v) In Pinellas County Within the Pinellas-Anclote River Basin LAKES				
Lake Tarpon Sec. Twsp. Rng. 7 27S 16E 8 27S 16E 16 27S 16E 17 27S 16E 18 27S 16E 19 27S 16E 20 27S 16E 21 27S 16E 28 27S 16E 29 27S 16E 30 27S 16E 32 27S 16E 33 27S 16E 4 28S 16E	4.20'	3.80'	2.20'	1.00'
(w) In Polk County Within the Alafia River Basin LAKES				
Scott, Lake	168.60'	168.00'	165.00'	164.25'
(x) In Polk County Within the Green Swamp Basin LAKES				
Agnes, Lake	135.20'	135.75'	134.75'	130.75'
Alfred S30 T27S R26	132.30'	130.75'	128.25'	126.25'
Arietta, Lake	144.00'	144.00'	141.00'	138.00'
Camp, Lake	133.40'	134.50'	132.00'	130.00'
Clearwater Lake	146.20'	143.50'	141.00'	139.00'
Cummings S31 T27 R26	131.50'	131.00'	127.50'	125.50'
Eva S29 T27 R26	132.30'	131.50'	129.00'	127.00'
Grassy Lake (Big Glades)	133.20'	132.00'	129.50'	128.00'
Griffin S30 T27 R26	132.30'	131.50'	129.00'	127.00'
Gum, Lake	132.60'	131.00'	128.50'	126.00'
Haines, Lake	129.70'	128.75'	126.50'	124.50'
Helene, Lake	144.80'	144.00'	141.00'	139.00'
Juliana, Lake	134.70'	132.50'	130.00'	127.50'
Little Lake Agnes	135.20'	136.00'	133.00'	131.00'
Little Van Lake	141.40'	139.00'	136.50'	135.50'
Mattie, Lake	134.70'	132.50'	130.00'	127.50'
Mud, Lake	141.80'	141.50'	137.75'	136.00'
Myrtle, Lake	141.70'	141.00'	138.50'	136.50'

Swoope, Lake	133.00'	132.50'	130.00'	128.00'
Tennessee, Lake	134.70'	134.00'	130.00'	128.00'
Van, Lake	133.00'	132.75'	130.00'	128.00'
Whistle, Lake	140.90'	137.50'	135.00'	133.75'
(y) In Polk County Within the Hillsborough River Basin LAKES				
Bonnet, Lake	146.60'	148.00'	145.00'	142.50'
Hunter, Lake	162.30'	162.75'	160.25'	159.00'
(z) In Polk County Within the Peace River Basin				
Ada S33 T28 R27	123.80'	123.00'	120.00'	118.00'
Altamaha S11 T30 R27	122.60'	122.50'	120.00'	118.00'
Amoret Lake 24 30 27	115.50'	115.25'	113.00'	111.00'
Annie, Lake S3 T29S R27E	122.10'	119.00'	116.00'	114.00'
Arianna, Lake 3 28 25E	137.10'	137.00'	134.50'	132.50'
Aurora, Lake 13 30 28	103.30'	100.00'	97.00'	95.00'
Banana, Lake 10 29 24E	106.75'	106.50'	103.50'	102.00'
Belle, Lake 11 30 27	123.60'	120.00'	117.00'	115.00'
Bess, Lake 18 29S 27E	125.50'	125.25'	123.00'	121.00'
Big Gum Lake 26 29 R28	95.50'	95.00'	92.00'	89.00'
Blue S13 T28 R25	149.80'	149.00'	146.50'	144.50'
Blue, Lake 24 30S 27E	118.00'	117.00'	114.00'	--
Bonnie S31 T29 R28	113.30'	113.00'	110.00'	108.00'
Bonny, Lake 20 28S 24E	130.90'	130.50'	128.00'	126.00'
Buckeye S22 T28S R26E	130.10'	129.00'	126.00'	124.50'
Buffum, Lake 12 31S 26E	132.75'	132.25'	129.25'	--
Cannon, Lake 19 28S 26E	132.60'	132.00'	129.50'	127.00'
Clinch, Lake 31 31S 28E	108.00'	106.75'	104.00'	102.50'
Connie, Lake 9 28S 26E	129.70'	128.75'	126.50'	124.50'

Cooper (Worth) S02 T30 R27	124.20'	123.50'	121.00'	119.00'
Crooked, Lake 1 31S 27E	122.60'	122.00'	118.50'	--
Cyrstal S02 T30 R27	121.40'	121.25'	118.00'	115.00'
Crystal S21 T28 R27	122.90'	122.00'	119.00'	117.00'
Crystal, Lake 23 29S 26E	130.00'	129.50'	127.00'	125.00'
Cypress 36 29 28E	100.20'	98.50'	95.00'	93.00'
Lake Daisy S6 T29 R27	130.90'	130.00'	127.00'	126.00'
Lake Deer 25 28 25E	141.30'	140.75'	138.50'	136.50'
Dell S28 T28 R27	125.70'	123.75'	121.50'	119.50'
Lake Dexter S2 T29 R26	132.20'	132.00'	129.00'	127.50'
Dinner, Lake 15 29S 27E	120.90'	118.50'	116.00'	114.00'
Lake Eagle 1 29 25E	131.00'	130.75'	128.50'	126.50'
Easy, Lake 19 30 28	115.50'	115.25'	113.00'	111.00'
Echo S05 T28 R26	132.30'	131.00'	128.00'	126.00'
Effie, Lake 3 30 27	119.60'	118.00'	115.00'	113.00'
Elbert S22 T28 R26	137.50'	135.50'	133.00'	131.50'
Eloise, Lake 3 29S 26E	132.60'	132.00'	129.50'	127.00'
Fannie, Lake 11 28S 26E	127.00'	125.75'	123.50'	120.00
Lake Florence S35 T28 R26	128.80'	128.75'	127.00'	125.00'
Lake Fox S6 T29 R27	135.20'	135.00'	132.00'	131.00'
Garfield, Lake 5 30 26E	105.70'	104.75'	101.00'	100.00'
Gator, Lake 26 30S 26E	133.60'	133.00'	130.75'	128.50'
George S06 T28 R26	130.70'	130.00'	127.50'	125.50'
Gibson, Lake 25 27S 23E	144.20'	143.50'	141.50'	141.50'

Gordon S16 T28 R27	121.30'	119.00'	116.00'	114.00'
Lake Grassy 2 29 25E	134.80'	129.00'	126.50'	125.50'
Lake Gross (Grassy) S14 T29 R26	138.50'	136.00'	133.50'	132.00'
Hamilton, Lake 18 28S 27E	122.50'	121.50'	119.00'	117.25'
Hancock, Lake 8 29S 25E	102.40'	99.00'	96.00'	94.00'
Hart, Lake 24 29S 26E	124.70'	124.50'	122.00'	120.00'
Hartridge, lake 8 28S 26E	132.60'	132.00'	129.50'	127.00'
Henry, Lake 16 31S 26E	160.10'	159.00'	156.00'	154.00'
Henry, Lake 36 27S 26E	127.00'	126.50'	124.50'	122.50'
Hickory, Lake 17 32S 28E	98.50'	98.50'	96.00'	94.00'
Howard, Lake 30 28S 26E	132.60'	132.00'	129.50'	127.00'
Ida, Lake 28 31S 28E	80.00'	79.00'	76.50'	75.00'
Ida S17 T28 R26	136.70'	135.25'	132.00'	130.50'
Idyl S16 T28 R26	134.90'	134.00'	131.50'	130.00'
Idylwild, Lake 18 28S 26E	132.60'	132.00'	129.50'	127.00'
Jessie, Lake 12 28S 25E	132.60'	132.00'	129.50'	127.00'
Josephine, Lake 13 30 27	121.30'	120.00'	116.50'	114.50'
Josephine S27 T28 R27	124.10'	121.50'	118.00'	116.50'
Lee S16 T28 R27	123.50'	123.50'	121.50'	120.00'
Lena, Lake 9 28S 25E	137.10'	137.00'	134.50'	132.50'
Leonore, Lake 10 31S 28E	87.40'	87.00'	84.50'	83.00'
Link, Lake 27 28S 26E	128.70'	128.00'	125.00'	123.00'
Little Aurora	103.30'	100.50'	98.00'	96.00'
Lake (Iris) 13 30 28				
Little Gum Lake 35 29S 28E	96.80'	96.50'	94.00'	92.00'

Little Lake Hamilton 5 28S 27E	122.50'	121.50'	119.00'	117.25'
LuLu, Lake 4 29S 26E	132.60'	132.00'	129.50'	127.00'
Lee, Lake 10 29S 27E	122.10'	119.00'	116.00'	114.00'
Lake McLeod 7 29 26E	133.10'	132.00'	129.50'	128.00'
Mabel, Lake 11 29S 27E	114.50'	110.75'	107.00'	105.00'
Mariam, Lake 27 28S 26E	--	124.75'	122.75'	121.00'
Marie S27 T28 R27	121.00'	121.00'	118.00'	116.00'
Martha S21 T28 R26	142.50'	142.00'	139.00'	137.00'
Maude S21 T28 R26	141.70'	140.50'	137.50'	136.00'
May, Lake 29 28S 26E	132.60'	132.00'	129.50'	127.00'
Medora S36 T27 R25	140.40'	138.00'	134.50'	133.00'
Menzie S28 T28 R27	127.00'	122.00'	120.00'	118.00'
Middle Lake Hamilton 7 28S 27E	122.50'	121.50'	119.00'	117.25'
Lake Millsite 11 29 25E	125.30'	123.50'	121.00'	119.00'
Mirror, Lake 20 28S 27E	132.60'	132.00'	129.50'	127.00'
Moody, Lake 17 31S R28E	92.80'	93.50'	91.00'	89.00'
Myrtle, Lake 19 29S 27E	118.70'	118.50'	116.50'	114.50'
Lake Ned S1 T29S R26	129.60'	128.50'	126.00'	124.00'
North Lake Wales S01 T30 R27	116.80'	115.00'	112.00'	110.00'
Otis, Lake 28 28S 25E	128.70'	128.00'	125.00'	123.00'
Pansy S08 T28 R26	130.00'	129.00'	126.50'	124.50'
Parker, Lake 32 29S 27E	122.50'	122.00'	119.50'	117.50'
Parker, Lake 8 28 24E	131.60'	131.00'	128.75'	127.50'
Parks, Lake 36 29S 28E	104.50'	102.50'	100.00'	98.00'

Polecat, Lake 27 30S 26E	142.40'	142.00'	139.50'	137.50'
Reedy, Lake 35 31S 28E	80.00'	79.75'	77.25	75.25'
Reeves, Lake 13 29S 26E	125.10'	124.50'	122.00'	120.00'
Lake River S1 T29 R26	141.60'	139.50'	136.00'	134.00'
Rochelle, Lake 4 28 26E	129.70'	128.75'	126.50'	124.50'
Round, Lake 13 29S 26E	129.40'	129.25'	126.50'	124.50'
Roy, Lake 34 28S 26E	132.60'	132.00'	129.50'	127.00'
Ruby, Lake 12 29S 26E	125.50'	125.25'	123.00'	121.00'
Ruth S28 T28 R27	123.50'	121.50'	117.50'	115.50'
Saddlebag, Lake 6 30S 29E	106.80'	105.00'	102.00'	100.00'
Saint Anne Lake 14 30 28	97.50'	96.00'	93.00'	91.00'
Sanitary (Marianna) S01 T28 R25	138.60'	137.50'	135.00'	133.00'
Sara S17 T28 R27	122.50'	121.50'	119.00'	117.25'
Scott, Lake 18 29S 24E	168.60'	168.00'	165.00'	164.25'
Lake Sears 36 28 25E	143.20'	141.00'	138.00'	136.00'
Serena S12 T30 R27	125.30'	118.00'	115.00'	113.00'
Shipp, Lake 32 28S 26E	132.60'	132.00'	129.50'	127.00'
Silver, Lake 5 32S 28E	105.00'	103.00'	100.50'	98.50'
Silver S20 T28 R26	147.10'	146.50'	144.00'	142.00'
Smart, Lake 9 28S 26E	129.70'	128.75'	126.50'	124.50'
Lake Spirit 35 28 25E	134.10'	131.50'	129.00'	127.00'
Spring, Lake 20 28S 27E	132.60'	132.00'	129.50'	127.00'
Starr, Lake 14 29 27	115.50'	113.00'	110.00'	108.00'
Streety Lake 24 32S 27E	108.70'	105.50'	102.50'	101.00'

Summit, Lake 34 28S 26E	132.60'	132.00'	129.50'	127.00'
Sunset Lake 10 30 28	101.10'	98.00'	95.50'	93.50'
Surveyors, Lake 26 30S 26E	133.60'	133.00'	130.75'	128.50'
Thomas, Lake 1 30E 28E	104.20'	99.50'	97.00'	95.00'
Lake Thomas 35 28 25E	135.60'	132.00'	128.00'	126.00'
Tractor Lake 14 30 27	125.00'	123.25'	121.00'	119.00'
Trask S22 T28 R27	114.90'	113.00'	108.00'	106.00'
Trout, Lake 34 32S 28E	100.60'	101.00'	98.00'	95.00'
Twin Lakes S11 T30 R27	124.10'	123.75'	120.00'	118.00'
Venus, Lake 9 29S 27E	126.10'	125.00'	122.00'	120.00'
Wales S01 T30 R27	114.10'	112.50'	110.00'	108.00'
Walker, Lake 21 30S 26E	143.00'	141.00'	137.00'	135.00'
Warren S11 T30 R27	124.60'	123.50'	121.00'	119.00'
Weader (Weaver) S03 T30 R27	122.00'	121.75'	119.00'	117.00'
Winterset, Lake 11 29S 26E	132.60'	132.00'	129.50'	127.00'
(aa) In Sarasota County Within the Manasota Basin				
(bb) In Sumter County Within the Green Swamp Basin				
(cc) In Sumter County Within the Withlacoochee River Basin LAKES				
Big Gant S14 T22S R22E	76.50'	76.25'	74.50'	72.50'
Black S23 T18S R23E	56.70'	55.00'	53.00'	51.00'
Cherry S24 T18S R23E	56.70'	55.00'	53.00'	51.00'
Deaton S14 T19S R23E	65.50'	65.00'	62.00'	60.00'
Miona S27 T18S R23E	56.70'	55.00'	53.00'	51.00'
Okahumpka S21 T19S R23E	59.90'	58.75'	56.25'	54.00'
Panasofkee	42.80'	42.50'	39.50'	38.50'

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Douglas Leeper, Senior Environmental Scientist, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4272

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 4, 2002

**DEPARTMENT OF ELDER AFFAIRS**

**Aging and Assisted Living Programs**

RULE CHAPTER TITLE: Hospice  
 RULE CHAPTER NO.: 58A-2

RULE TITLES: Hospice Employee Training Requirements  
 RULE NOS.: 58A-2.027

Hospice Training Provider and Curriculum Approval 58A-2.028

PURPOSE AND EFFECT: Proposed Rules 58A-2.027 and 58A-2.028, F.A.C., were developed in consultation with the Agency for Health Care Administration to implement Section 4 of Chapter 2003-271, Laws of Florida, which directs the Department of Elder Affairs in Section 400.6045(1), F.S., to adopt rules to establish standards for Alzheimer’s disease or other related disorders training providers and training for specified hospice employees. The Department held rule development workshops on August 19 and September 30, 2003, in Tallahassee, Florida. Comments received by the Department from the public were incorporated into the proposed rules.

SUMMARY: Proposed Rules 58A-2.027 and 58A-2.028, F.A.C., will establish minimum standards for training providers and training, and describe procedures for approval of Alzheimer’s Disease training curricula and training providers.

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

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

SPECIFIC AUTHORITY: 400.6045(1) FS.

LAW IMPLEMENTED: 400.6045(1) 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: 1:00 p.m. – 2:00 p.m., December 1, 2003

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

58A-2.027 Hospice Employee Training Requirements.

(1) Each hospice licensed under Part VI of Chapter 400, Florida Statutes, shall provide that hospice employees receive the following training:

(a) Completion of the required initial one hour of training after June 30, 2003, shall satisfy the requirement referenced in subsection 400.6045(1)(b), F.S. Initial one-hour training shall address the following subject areas:

1. Understanding Alzheimer’s Disease and Related Disorders;

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

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

(b) Completion of the required three hours of training after June 30, 2003, shall satisfy the requirement referenced in subsection 400.6045(1)(c), F.S. The three hours of training must address the following subject areas as they apply to Alzheimer’s Disease and Related Disorders:

1. Behavior management;

2. Assistance with activities of daily life to promote the patient’s independence;

3. Activities for patients;

4. Stress management for the care giver;

5. Family issues;

6. Patient environment; and

7. Ethical issues.

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

(d) Persons who seek to provide Alzheimer’s Disease or Related Disorders training in accordance with this subsection shall provide the Department of Elder Affairs or its designee documentation that they hold a Bachelor’s degree in a



health-care, human service, or gerontology related field from an accredited college or university or hold a license as a registered nurse, and:

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

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

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

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

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

(3) All training required by this rule and Section 400.6045, F.S., must be completed only once for each applicable employee.

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

#### 58A-2.028 Hospice Training Provider and Curriculum Approval.

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

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

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

(a) Notify the applicant that the application is approved or not approved. If an application is not approved, the Department or its designee shall respond in writing indicating the reasons for not approving the application and information or documentation needed for approval;

(b) Request additional information from the applicant in order to make a determination. Requested information omitted from an application shall be filed with the Department or its designee within 90 days of the Department's or its designee's request for omitted information, or the application shall be deemed incomplete, and shall be withdrawn from further consideration. Once the additional information has been received by the Department or its designee the Department or its designee will have 30 calendar days to make a determination; or

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

(3) Upon successful completion of training, the trainee shall be issued a certificate by the approved training provider. The certificate shall include the title of the training and the Department of Elder Affairs curriculum approval number, the number of hours of training, the participant's name, dates of attendance, location, the training provider's name and the Department of Elder Affairs training provider's approval number, and dated signature. The training provider's signature on the certificate shall serve as documentation that the training provider has verified that the trainee has completed the required training pursuant to Section 400.6045, F.S., and Rule 58A-2.027, F.A.C.

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

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

(6) Certificates or copies of certificates of any training required by this rule shall be documented in the hospice's personnel files.

Specific Authority 400.6045(1) F.S. Law Implemented 400.6045(1) F.S. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Linda Macdonald  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Terry White, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2003

**DEPARTMENT OF ELDER AFFAIRS**

**Aging and Assisted Living Programs**

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

Adult Day Care Center Employee Training Requirements 58A-6.015  
Adult Day Care Center Training Provider and Curriculum Approval 58A-6.016

PURPOSE AND EFFECT: Proposed Rules 58A-6.015 and 58A-6.016, F.A.C., were developed in consultation with the Agency for Health Care Administration to implement Section 3 of Chapter 2003-271, Laws of Florida, which directs the Department of Elder Affairs in Section 400.5571(1), F.S., to adopt rules to establish standards for Alzheimer's disease or other related disorders training providers and training for specified adult day care center employees. The Department held a rule development workshop on August 19, 2003, in Tallahassee, Florida. Comments received by the Department from the public were incorporated into the proposed rules.

SUMMARY: Proposed Rules 58A-6.015 and 58A-6.016, F.A.C., will establish minimum standards for training providers and training, and describe procedures for approval of Alzheimer's Disease training curricula and training providers.

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

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

SPECIFIC AUTHORITY: 400.5571(1) FS.

LAW IMPLEMENTED: 400.5571(1) FS.

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

TIME AND DATE: 10:00 a.m. – 11:00 a.m., December 1, 2003

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

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

(1) Each adult day care center licensed under Part V of Chapter 400, Florida Statutes, shall provide that adult day care center employees receive the following training.

(a) Completion of the required initial one hour of training after June 30, 2004, shall satisfy the requirement referenced in subsection 400.5571(1)(b), F.S. Initial one-hour training shall address the following subject areas:

1. Understanding Alzheimer's Disease and Related Disorders;

2. Characteristics of Alzheimer's Disease and Related Disorders; and

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

(b) Completion of the required three hours of training after June 30, 2004, shall satisfy the requirement referenced in subsection 400.5571(1)(c), F.S. The three hours of training must address the following subject areas as they apply to Alzheimer's Disease and Related Disorders:

1. Behavior management;

2. Assistance with activities of daily life to promote the patient's independence;

3. Activities for participants;

4. Stress management for the care giver;

5. Family issues;

6. Participant environment; and

7. Ethical issues.

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

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

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

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

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

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

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

(3) All training required by this rule and Section 400.5571, F.S., must be completed only once for each applicable employee.

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

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

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

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

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

(a) Notify the applicant that the application is approved or not approved. If an application is not approved, the Department or its designee shall respond in writing indicating the reasons for not approving the application and information or documentation needed for approval;

(b) Request additional information from the applicant in order to make a determination. Requested information omitted from an application shall be filed with the Department or its designee within 90 days of the Department's or its designee's request for omitted information, or the application shall be deemed incomplete, and shall be withdrawn from further consideration. Once the additional information has been received by the Department or its designee the Department or its designee will have 30 calendar days to make a determination; or

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

(3) Upon successful completion of training, the trainee shall be issued a certificate by the approved training provider. The certificate shall include the title of the training and the Department of Elder Affairs curriculum approval number, the number of hours of training, the participant's name, dates of attendance, location, the training provider's name and the Department of Elder Affairs training provider's approval number, and dated signature. The training provider's signature on the certificate shall serve as documentation that the training provider has verified that the trainee has completed the required training pursuant to Section 400.5571, F.S. and Rule 58A-6.015, F.A.C.

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

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

(6) Certificates or copies of certificates of any training required by this rule shall be documented in the facility's personnel files.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Linda Macdonald  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Terry White, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2003

**DEPARTMENT OF ELDER AFFAIRS**

**Aging and Assisted Living Programs**

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

PURPOSE AND EFFECT: The proposed amendments to Rules 58A-14.003, 58A-14.0061, and 58A-14.008, F.A.C., were developed in consultation with the Agency for Health Care Administration (A.H.C.A.). Proposed amendments to Rule 58A-14.003, F.A.C., will: (a) revise the Adult Family Care Home (A.F.C.H.) application, AHCA Form 3180-1022, by omitting the social security number from the application as the Department does not have rule authority to require this confidential information, (b) update the name and incorporate by reference the Level 1 Criminal History Screening, ACHA form 3110-002, dated January 2003, (c) delete the reference to the Florida Abuse Hotline Information System Background Check, AHCA Form 3110-0003 which is no longer required, and (d) require that the A.H.C.A provide A.F.C.H. providers the application forms for license renewal either electronically or by mail delivery annually pursuant to changes in Section 400.619, F.S. Proposed amendments to Rule 58A-14.0061, F.A.C., will: (a) clarify that when someone is admitted as a resident to an A.F.C.H., the individual must be free from apparent signs and symptoms of any communicable disease, which is likely to be, transmitted to others not simply residents of the A.F.C.H., (b) smooth the interface of A.F.C.H. rule requirements and requirements of the Medicaid Assistive Care Services Program under Rule 59G-4.025, F.A.C., by revising

the Resident Health Assessment, DOEA form 1110, to include additional questions regarding the residents activities of daily living needs, and (c) clarify that the examiner is only required to provide their medical license number by deleting "Florida" and inserting "Medical" in the Resident Health Assessment, DOEA form 1110. Proposed amendments to Rule 58A-14.008, F.A.C., will: (a) eliminate the references to the Department of Elder Affairs providing the required A.F.C.H. training pursuant to changes in Section 400.6211, F.S, and (b) require the A.F.C.H. provider to documented in the facility's personnel files the certificates of any training required by this rule.

SUMMARY: Proposed amendments to Rule 58A-14.003, F.A.C., will: (a) revise, update, and delete obsolete forms, and (b) require the A.H.C.A to provide A.F.C.H. providers the license renewal application forms either electronically or by mail delivery annually. Proposed amendments to Rule 58A-14.0061, F.A.C., will: (a) clarify that an individual admitted to an A.F.C.H. must be free from apparent signs and symptoms of any communicable disease, which is likely to be, transmitted to others, and (b) revise the Resident Health Assessment, DOEA form 1110, to include additional questions regarding the residents activities of daily living needs and require the examiner to provide their medical license number. Proposed amendments to Rule 58A-14.008, F.A.C., will: (a) eliminate the provisions relating to the Department of Elder Affairs providing the required A.F.C.H. training, and (b) require certificates of the required training be documented in the facility's personnel files.

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

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

SPECIFIC AUTHORITY: 400.619, 400.621, 400.6211 FS.  
LAW IMPLEMENTED: 400.618, 400.619, 400.621, 400.6211, 400.625, 400.628 FS.

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

TIME AND DATE: 2:00 p.m. – 3:00 p.m., December 1, 2003  
PLACE: Department of Elder Affairs, Conference Room 309, 4040 Esplanade Way, Tallahassee, FL

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

THE FULL TEXT OF THE PROPOSED RULES IS:

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

(1) LICENSE APPLICATION.

(a) Any individual desiring to obtain an initial license to operate an adult family care home shall file an Adult Family Care Home License application, AHCA Form 3180-1022, ~~August 2003 February 1999~~, which is incorporated by reference, with the Assisted Living Unit, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308-5402, phone (850)487-2515. The completed application must be signed by the applicant, notarized, and be accompanied by the following:

1. A completed Request for Level 1 Criminal History ~~Screening Check~~, AHCA Form 3110-0002, ~~January 2003 June 1998~~, and Florida Abuse Hotline Information System ~~Background Check~~, AHCA Form 3110-0003, ~~July 1998~~, which ~~is~~ ~~are~~ incorporated by reference, available from the Background Screening Unit, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308-5402, phone (850)410-3400, for the applicant, each relief person, all adult household members, and all staff. The completed forms will not be required for persons who:

a. Submit proof of Level I screening conducted within the last 5 years pursuant to a facility or professional license requirement of AHCA or the Department of Health and provide a copy of the professional or facility license, and an affidavit of current compliance with the background screening requirements of Section 435.03, F.S.; or

b. Have been continuously employed in the same type of occupation for which the person is seeking employment without a break in service that exceeds 180 days, and can provide proof that level 1 background screening has been conducted within the last 2 years. Proof of compliance must be obtained by the applicant from the person's previous employer and not from the person.

2. through 9. No change.

(b) through (d) No change.

(2) LICENSE RENEWAL.

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

(b) through (c) No change.

(3) through (4) No change.

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

58A-14.0061 Admission and Appropriateness of Placement.

(1) ADMISSION. In order to be admitted as a resident to an AFCH an individual must:

(a) Be at least 18 years of age.

(b) Be free from apparent signs and symptoms of any communicable disease, including tuberculosis, which is likely to be transmitted to others ~~residents~~, as documented in the Health Assessment Form described in subsection (2). A person who has HIV infection may be admitted provided the person would otherwise be eligible for admission according to this rule.

(c) through (l) No change.

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

(3) through (6) No change.

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

58A-14.008 Staff Qualifications, Responsibilities and Training.

(1) through (3) No change.

(4) TRAINING.

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

(b) through (e) No change.

(f) Except as otherwise noted, certificates of any training required by this rule shall be documented in the facility's personnel files. The department's AFCH trainer in the planning and service area where an AFCH is located shall notify AFCH providers of record, and others who request notification, of AFCH training offered by the department. A schedule of department training offered and a list of trainers is available from the Assisted Living Program, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, telephone number (850)414-2309.

~~(g) Fees.~~

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

~~a. AFCH basic training \$50~~

~~b. Update training \$25~~

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

~~a. Adult Family Care Home Provider's Guide \$25~~

~~b. Adult Family Care Home Law and Rule \$5~~

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Linda Macdonald

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

RULE TITLES:	RULE NOS.:
Normal Penalty Ranges	61G3-21.001
Suspension	61G3-21.014

PURPOSE AND EFFECT: The proposed rule amendments are intended to address limitations on the imposition of penalties and the suspension of a license.

SUMMARY: The proposed rule amendments set forth the limitations of fines imposed and the authority to suspend a license.

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

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

SPECIFIC AUTHORITY: 476.064(4), 455.2273, 476.024, 476.214(2) FS.

LAW IMPLEMENTED: 455.2273, 476.024, 476.214(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Malone, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULES IS:

61G3-21.001 Normal Penalty Ranges.

The following guidelines shall be used in disciplinary cases, absent aggravating or mitigating circumstances and subject to the other provisions of this chapter.

(1) through (13) No change.

(14) Penalties imposed by the Board pursuant to Rule 61G3-21.001, F.A.C., may be imposed in combination or individually but may not exceed the limitations enumerated below:

(a) Revocation or suspension of any license or registration issued pursuant to Chapter 476, Florida Statutes.

(b) Issuance of a reprimand or censure.

(c) Imposition of an administrative fine not to exceed \$500 for each count or separate offense.

(d) Placement on probation for a period of time and subject to such reasonable conditions as the Board may specify.

(e) Refusal to certify to the Department an applicant for licensure or registration.

Specific Authority 476.064(4), 455.2273 FS. Law Implemented 455.2273 FS. History--New 11-25-86, Amended 7-4-90, 12-23-90, Formerly 21C-21.001, Amended 10-30-95, \_\_\_\_\_.

61G3-21.014 Suspension.

The Board may suspend any license issued pursuant to Chapter 476, Florida Statutes, in any case where, in the Board's opinion, it is in the interest of the public health, safety and welfare.

Specific Authority 476.024, 476.214(2) FS. Law Implemented 476.024, 476.214(2) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 18, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE:	RULE NO.:
Real Estate Broker	61J2-14.010

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

SUMMARY: The proposed rule change affects amounts brokers may maintain in escrow or trust.

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: 475.25(1)(d)1.,(k), 475.452 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, AN ADDITIONAL HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW):

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, November 18, 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: Lori Crawford, Deputy Clerk, 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:

61J2-14.010 Real Estate Broker.

(1) Every broker who receives from sales associates ~~salespersons~~, principals, prospects, or other persons interested in any real estate transaction, any deposit, fund, money, check, draft, personal property, or item of value shall immediately place the same in a bank, savings and loan association, trust company, credit union or title company having trust powers, in an insured escrow or trust account. The broker must be a signatory on all escrow accounts. If the brokerage entity has more than one broker licensee, then one broker licensee may be designated as the signatory. If the deposit is in securities, intended by the depositor to be converted into cash, the conversion shall be made at the earliest practical time, and the proceeds shall be immediately deposited in said account.

(2) A broker may place and maintain up to \$1,000 of personal or brokerage funds per each sales escrow account. A broker may place and maintain up to \$5,000 of personal or brokerage funds per each property management escrow account. Personal or brokerage funds in any escrow account shall not exceed \$5,000, per account. A broker shall be provided a reasonable amount of time to correct escrow errors if there is no shortage of funds and such errors pose no significant threat to economically harm the public. For purposes of this subsection, reasonable amount of time shall be defined as 30 days from the date the last reconciliation statement was performed or should have been performed. A broker is authorized to place and maintain up to \$200 of

~~personal or brokerage business funds in the escrow account for the purposes of opening the account, keeping the account open and/or paying for ordinary service charges.~~

Specific Authority 475.05 FS. Law Implemented 475.25(1)(d)1.,(k), 475.452 FS. History—New 1-1-80, Formerly 21V-14.10, Amended 2-17-86, 10-13-88, 12-29-91, 6-28-93, Formerly 21V-14.010, Amended\_\_\_\_\_.

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 5, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE: Disciplinary Guidelines

RULE NO.: 61J2-24.001

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

SUMMARY: The proposed rule change affects provisions relating to disciplinary guidelines.

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: 455.2273, 475.05 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 475.22, 475.24, 475.25, 475.42, 475.421, 475.422, 475.452, 475.453, 475.455, 475.482 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, AN ADDITIONAL HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW):

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, November 18, 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: Lori Crawford, Deputy Clerk, 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:

61J2-24.001 Disciplinary Guidelines.

(1) No change.

(2) As provided in s. 475.25(1), Florida Statutes, the Commission may, in addition to other disciplinary penalties, place a licensee on probation. The placement of the licensee on probation shall be for such a period of time and subject to such conditions as the Commission may specify. Standard probationary conditions may include, but are not limited to, requiring the licensee: to attend pre-licensure courses; to satisfactorily complete a pre-licensure course; to attend post-licensure courses; to satisfactorily complete a post-licensure course; to attend continuing education courses; to submit to and successfully complete the state-administered examination; to be subject to periodic inspections and interviews by a DBPR investigator; if a broker, to place the license on a broker associate ~~broker salesperson~~ status; or, if a broker, to file escrow account status reports with the Commission or with a DBPR investigator at such intervals as may be prescribed.

(3) No change.

VIOLATIONS

RECOMMENDED RANGE OF PENALTY

(a) through (k) No change.

(l) 475.25(1)(k)

Has failed, if a broker, to deposit any money in an escrow account immediately upon receipt until disbursement is properly authorized. Has failed, if a sales associate ~~salesperson~~, to place any money to be escrowed with his registered employer

(m) No change.

(n) 475.25(1)(m)

Obtained a license by fraud, misrepresentation or concealment

(l) No change.

(n) In the case of a licensee who renews the license without having complied with Rule 61J2-3.009, F.A.C. and the act is discovered by the DBPR, the usual action of the Commission shall be to impose a penalty of revocation. In the case of a licensee who renews the license without having complied with Rule 61J2-3.009, F.A.C., and the licensee brings the matter to the attention of the DBPR, the usual action

(o) through (q) No change.

(r) 475.25(1)(q)

Licensee has failed to give the Transaction Broker Notice or Single Agent Notice at the requisite period of time under the provisions of ss. 475.278, F.S.; failed to properly secure the Consent to Transition to Transaction Broker or Designated Sales Associate ~~Salesperson~~ forms as required in ss. 475.2755 or 475.278, F.S.; failed to act in a manner as prescribed in ss. 475.2755 or 475.278

(s) through (w) No change.

(x) 475.42(1)(b)

Practicing beyond scope as a sales associate ~~salesperson~~

(y) 475.42(1)(c)

Broker employs a sales associate ~~salesman~~ who is not the holder of a valid and current license

(z) 475.42(1)(d)

A sales associate ~~salesperson~~ shall not collect any money in connection with any real estate brokerage transaction except in the name of the employer

(aa) through (dd) No change.

(ee) 475.42(1)(j)

No broker or sales associate ~~salesperson~~ shall place upon the public records any false, void or unauthorized information that affects the title or encumbers any real property

of the Commission shall be to impose a penalty of a \$1,000 administrative fine. In all other cases, the usual action of the Commission shall be to impose a penalty of revocation and an administrative fine of \$1,000.

(r) No change.

(x) No change.

(y) No change.

(z) No change.

(ee) No change.



(ff) through (gg) No change.

(hh) 475.42(1)(m)

Fails to have a current license as a broker or sales associate salesperson while listing or selling one or more timeshare periods per year

(ii) No change.

(jj) 475.424(1)(o)

Publication of false or misleading information; promotion of sales, leases and rentals

~~(kk) 475.422-~~

~~Failure to furnish copies of any termite and roof inspection reports~~

(ll) through (mm) renumbered (kk) through (ll) No change.

~~(mm)(nn)~~ 475.453

Broker or sales associate salesperson participates in any rental information transaction that fails to follow the guidelines adopted by the Commission and Chapter 475, F.S.

(4)(a) No change.

(b) Aggravating or mitigating circumstances may include, but are not limited to, the following:

~~1. The severity of the offense.~~

2. through 3. renumbered 1. through 2. No change.

~~4. The number of times the offenses previously have been committed by the licensee.~~

5. through 8. renumbered 3. through 6. No change.

Specific Authority 455.2273, 475.05 FS. Law Implemented 455.227, 455.2273, 475.22, 475.24, 475.25, 475.42, 475.421, 475.422, 475.452, 475.453, 475.455, 475.482 FS. History—New 11-24-86, Amended 10-13-88, 4-20-89, 5-20-90, 12-29-91, 11-8-92, 6-28-93, Formerly 21V-24.001, Amended 11-16-93, 2-29-96, 12-30-97, 11-29-98, 1-18-00, \_\_\_\_\_.

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 5, 2003

(hh) No change.

(jj) No change.

~~(kk) The usual action of the Commission shall be to impose a penalty of an administrative fine of \$1,000 to a 3 year suspension~~

~~(mm)(nn)~~ No change.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE:

RULE NO.:

Citation Authority

61J2-24.002

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

SUMMARY: The proposed rule change affects provisions relating to citation authority.

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: 455.224 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, AN ADDITIONAL HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY):

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, November 18, 2003

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

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: Lori Crawford, Deputy Clerk, 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:

61J2-24.002 Citation Authority.

(1) No change.

(2)(a) through (k) No change.

1. Renewed a license without completing the continuing education requirement and the act and is discovered by the DBPR but the licensee has completed the continuing education requirements within thirty (30) days after his or her renewal date	\$200.00 and completion of the continuing education requirement for the previous renewal cycle
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<p>2. Renewed a license without completing the continuing education requirement and the act is discovered by the <u>DBPR</u> but the licensee has completed the continuing education requirements within ninety (90) days after his or her renewal date</p>	<p>\$500.00 and completion of the continuing education requirement for the previous renewal cycle</p>	<p><del>(ee)(gg)</del> 61J2-10.038 – failed to notify the <u>DBPR</u> of the current mailing address or any change in the current mailing address</p>	<p>\$100.00</p>
<p>3. No change.</p>		<p><del>(ff)(hh)</del> No change.</p>	
<p>(l) through (m) No change. (n) 475.42(1)(b) – <u>sales associate salesperson</u> operating as a <u>sales associate salesperson</u> without a registered employer due to failure to renew or properly register</p>	<p>\$500.00</p>		<p>\$200.00 and the 7-hour Instructional Program for Broker Management of Escrow Accounts to be completed within 6 months of the citation becoming a final order</p>
<p>(o) through (s) No change. (t) 475.4511(5) – advertised school passing rates</p>	<p>\$300.00</p>	<p><del>(jj) 61J2-14.012(2) – failed to properly reconcile an escrow account when the account is out of balance by more than +\$200 but no more than +\$500</del></p>	<p>\$500.00 and the 4-hour Instructional Program for Broker Management of Escrow Accounts to be completed within 6 months of the citation becoming a final order</p>
<p><del>(u)(w)</del> 61J2-3.009(5)(e) – failed to have a <u>distance education correspondence study</u> course instructor available <u>per published schedule during working hours</u></p>	<p>\$300.00</p>		
<p><del>(v)(x)</del> 61J2-3.009(6) – failed to inform students of course standards and requirements</p>	<p>\$100.00</p>		
<p><del>(w)(y)</del> 61J2-3.015(2) – failed to provide a course completion report to a student; if a licensee, as the result of an audit/inspection, failed to provide a course completion report to the <u>DBPR</u></p>	<p>\$200.00</p>	<p>(kk) through (qq) renumbered (gg) through (mm) No change.</p>	
<p><del>(x)(z)</del> 61J2-5.016 – <u>sales associate salesperson</u> or <u>broker associate broker salesperson</u> serving as an officer or director of a registered brokerage corporation</p>	<p>\$200.00</p>	<p>(3) through (5) No change.</p>	
<p><del>(y)(aa)</del> 61J2-5.019(1) – failed to ensure that the corporation or partnership is properly registered; failed to ensure each officer, director and <u>sales associate salesperson</u> is properly licensed</p>	<p>\$200.00</p>	<p>Specific Authority 475.05 FS. Law Implemented 455.224 FS. History–New 12-29-91, Amended 4-16-92, 1-20-93, 6-28-93, Formerly 21V-24.002, Amended 8-23-93, 4-7-94, 4-12-95, 7-5-95, 2-13-96, 6-5-96, 7-23-96, 1-22-97, 3-30-97, 11-10-97, 3-24-98, 7-1-98, 10-25-98, 1-19-99, 1-18-00, 10-15-00, _____.</p>	
<p>(z)(bb) through (ee) renumbered (aa) through (dd) No change.</p>		<p>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 5, 2003</p>	
<p><del>(ff)</del> 61J2-10.035 – failed to obtain the seller’s consent to place a “sold” sign on the property prior to closing</p>	<p>\$100.00</p>	<p><b>DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION</b></p>	
		<p><b>Florida Real Estate Commission</b></p>	
		<p>RULE TITLE: Notice of Noncompliance</p>	<p>RULE NO.: 61J2-24.003</p>
		<p>PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes.</p>	

SUMMARY: The proposed rule change affects 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: 120.695, 455.225(3) FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, AN ADDITIONAL HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW):

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, November 18, 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: Lori Crawford, Deputy Clerk, 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:

61J2-24.003 Notice of Noncompliance.

(1) Pursuant to s. 455.225(3), Florida Statutes, and s. 120.695, Florida Statutes, the Commission sets forth below those statutes and rules which are considered minor violations for which the DBPR shall provide a licensee, registrant or permitholder with a notice of noncompliance. A violation is considered a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. The notice of noncompliance shall only be issued for an initial offense of a listed minor violation.

(a) 61J2-3.009(5)(e) – failure to have a distance education correspondence course instructor available.

(b) through (c) No change.

(d) 61J2-5.016 – sales associate salesperson or broker associate broker salesperson serving as officer or director of a registered brokerage corporation.

(e) 61J2-5.019(1) – failure to ensure that the corporation or partnership is properly registered; failure to ensure each officer, director and sales associate salesperson is properly licensed.

(f) through (k) No change.

~~(l) 61J2-10.035 – failure to obtain the seller’s consent to place a “sold” sign on the property prior to closing.~~

~~(m) 61J2-14.012 – failure to sign the escrow account reconciliation if the account balances.~~

~~(n) 61J2-14.014(2) – failure to stop interest from accruing prior to disbursement.~~

~~(o) 61J2-17.012(1) and (3) – failure to maintain the course roster as required.~~

~~(p) 61J2-17.012(2) – failure to deliver the course roster as required.~~

~~(q) 61J2-17.013(2) – failure to obtain a permit for a school location.~~

~~(r) 61J2-17.014 – improper use of a guest lecturer.~~

~~(s) 61J2-17.015 – improper recruiting; failure to post the required statement.~~

~~(t) 475.25(1)(m) and 61J2-3.009 – renewed license without having complied with Rule 61J2-3.009, F.A.C., and voluntarily notified the DBPR within thirty (30) days after the renewal cycle ended.~~

(2) The DBPR shall issue a notice of noncompliance to the licensee, registrant or permitholder subject to the statute and rule that the statute and rule have been violated. The notice of noncompliance shall identify the statute and rule being violated and shall provide information on how to comply with the statute and rule. The DBPR shall allow 15 days for compliance with the statute and rule and shall so notify the licensee, registrant or permitholder. The time for compliance shall begin to run from the time the licensee, registrant or permitholder receives the notice of noncompliance. The failure of a licensee, registrant or permitholder to comply with the notice of noncompliance within the time allowed shall thereafter result in the issuance of a citation pursuant to Rule 61J2-24.002, Florida Administrative Code, and, if there is no citation for the violation, then the institution of regular disciplinary proceeding pursuant to s. 455.225, Florida Statutes.

(3) No change.

Specific Authority 475.05 FS. Law Implemented 120.695, 455.225(3) FS. History—New 1-9-94, Amended 1-1-96, 11-10-97, 6-30-98, 10-25-98, 9-17-00,

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 5, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE TITLE: Revocation  
 RULE NO.: 61J2-24.005

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

SUMMARY: The proposed rule change affects 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: 120.695, 455.225(3) FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, AN ADDITIONAL HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW):

TIME AND DATE: 8:30 a.m. or as soon thereafter as possible, November 18, 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: Lori Crawford, Deputy Clerk, 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:

61J2-24.005 Revocation.

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

(2) An individual whose license has been revoked for the above listed violations may not apply for a sales associate's ~~salesperson's~~ license for a period of five (5) years after the date of filing of the final order revoking the license unless the Commission specifies a lesser period of time in the final order, said lesser period of time based upon mitigating factors presented by the Respondent. The applicant must meet all the requirements for initial licensure as a sales associate ~~salesperson~~, including examination, as required in ss. 475.17 and 475.175, F.S., The Commission may refuse to certify the applicant pursuant to ss. 475.17(1)(a), 475.181 or 475.25(1), F.S.

Specific Authority 455.227, 475.05 FS. Law Implemented 455.227 FS. History—New 2-13-96, Amended 4-28-98, \_\_\_\_\_.

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 5, 2003

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLES:	RULE NOS.:
Pharmacists Newly Licensed	64B16-26.100
Fees and License Renewal Application	64B16-26.101
Inactive License Renewal	64B16-26.102

PURPOSE AND EFFECT: The Board proposes to repeal the rules which are no longer needed as new Rules 64B16-26.1001, 64B16-26.1011 and 64B16-26.1021, F.A.C., have been proposed to replace them.

SUMMARY: The rule repeals, and the new rules, address the requirements and the fees for initial licensure and renewal of license.

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

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

SPECIFIC AUTHORITY: 456.013(2), 465.005 FS.

LAW IMPLEMENTED: 456.013(2), 456.036, 456.064, 465.008, 465.012 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B16-26.100 Pharmacists Newly Licensed.**

Specific Authority 456.013(2), 465.005 FS. Law Implemented 456.013(2), 465.008 FS. History—New 3-19-79, Formerly 21S-6.04, Amended 1-7-87, 12-29-88, 10-16-90, Formerly 21S-6.004, Amended 1-10-93, Formerly 21S-26.100, 61F10-26.100, 59X-26.100, Amended 4-17-01, Repealed

**64B16-26.101 Fees and License Renewal Application.**

Specific Authority 465.005 FS. Law Implemented 456.036, 456.064, 465.008 FS. History—New 3-19-79, Formerly 21S-6.05, Amended 1-7-87, 4-21-87, 12-29-88, Formerly 21S-6.005, Amended 7-31-91, 1-10-93, Formerly 21S-26.101, 61F10-26.101, Amended 3-10-96, Formerly 59X-26.101, Amended 12-31-97, 12-3-00, 3-18-01, 10-15-01, Repealed

64B16-26.102 Inactive License Renewal.

Specific Authority 465.005 FS. Law Implemented 465.008, 465.012 FS. History—New 3-19-79, Formerly 21S-6.06, Amended 1-7-87, 12-29-88, Formerly 21S-6.006, Amended 7-31-91, 1-10-93, Formerly 21S-26.102, 61F10-26.102, Amended 3-10-96, Formerly 59X-26.102, Amended 3-18-01, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2003

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE TITLE: Examination and Initial Licensure Fees  
RULE NO.: 64B16-26.2035

PURPOSE AND EFFECT: The Board proposes the amendments to update the requirements for fees for initial licensure by examination.

SUMMARY: The proposed rule amendments address the fees required for initial licensure by examination.

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(2), 465.005 FS.

LAW IMPLEMENTED: 456.013(2), 465.007 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.2035 Examination and Initial Licensure Fees.

(1) The ~~examination~~ fees for licensure by examination shall include a non-refundable application fee of \$100 and a refundable initial licensure fee of \$190 payable to the Board; and ~~component examination fees of \$360 for the National Practice Examination and \$130 for the jurisprudence examination. Component examination fees may be paid directly to the examination vendor. All fees collected under this section are non-refundable.~~

(2) Examination fees for the National Practice Examination and jurisprudence examination are payable to the examination vendor.

Specific Authority 465.005, 456.013(2) FS. Law Implemented 465.007, 456.013(2) FS. History—New 9-19-94, Amended 3-10-96, Formerly 59X-26.2035, Amended 3-22-99, 10-30-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 11, 2003

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

RULE TITLES: Florida Workers' Compensation Health  
RULE NOS.: 69L-7.020

Care Provider Reimbursement Manual 69L-7.020  
Florida Workers' Compensation Reimbursement

Manual for Hospitals 69L-7.501

PURPOSE, EFFECT AND SUMMARY: To amend 69L-7.020 to adopt the new version of the Florida Workers' Compensation Health Care Provider Reimbursement Manual 2004 Edition, and Rule 69L-7.501, F.A.C., to adopt the Florida Workers' Compensation Reimbursement Manual for Hospitals 2004 Edition, to comply with Chapter Law 2003-412 (SB-50A), and implement the reimbursement rates adopted by the Three-member Panel pursuant to Section 440.13(12), F.S. at its meeting on October 2, 2003. The amendment to Rule 69L-7.501, F.A.C., also incorporates the Workers' Compensation Health Care Provider Reimbursement Manual 2004 Edition for use in billing for specified outpatient services.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 440.591, 440.13(4)(b),(6), (11),(12),(14) FS.

LAW IMPLEMENTED: 440.13(4)(b),(6),(11),(12),(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: 2:00 p.m., December 1, 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 RULES IS: Don Davis, Division of Workers' Compensation, Office of Data Quality and Collection, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, (850)413-1711

THE FULL TEXT OF THE PROPOSED RULES IS:

69L-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, ~~2004~~ ~~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, incorporated above 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/wc/>~~.

(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 and for 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, incorporated in subsection (1) above 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(11),(12),(14), (6),(8),(11),(14) FS. History—New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.020, 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, 4L-7.020, Amended \_\_\_\_\_.

69L-7.501 Florida Workers' Compensation Reimbursement Manual for Hospitals.

(1) The Florida Workers' Compensation Reimbursement Manual for Hospitals, ~~2004~~ ~~1999~~ Edition, ~~and replacement pages 4, 9, and 22 is~~ are adopted by reference as part of this rule. The manual contains reimbursement policies and per diem rates for hospital services and supplies as well as basic instructions and information for all hospitals and carriers in the preparation and reimbursement of bills for hospital services.

(2) Form DWC-90, also known as the UB-92, or HCFA-1450, is hereby incorporated by reference as part of this rule. The Florida Workers' Compensation Health Care Provider Reimbursement Manual 2004 Edition is incorporated by reference as part of this rule also. The reimbursement policies, billing codes and maximum reimbursement allowances for physical therapy, radiology, occupational therapy, speech therapy, radiology and clinical laboratory services contained in the manual shall be applied to hospital services provided on an outpatient basis only.

(3) The Florida Workers' Compensation Reimbursement Manual for Hospitals, incorporated in Subsection (1) above, is 2002 Edition, and Form DWC-90, are 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 website home page at <http://www.fldfs.com> ~~<http://www2.myflorida.com/les/wc/>~~.

Specific Authority 440.13(4)(b),(6),(11),(12),(14) FS. Law Implemented 440.13(4)(b),(6),(11),(12),(14) FS. History—New 6-9-87, Amended 6-1-92, 10-27-99, 7-3-01, Formerly 38F-7.501, 4L-7.501, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Don Davis, Office of Data Quality and Collection, Division of Workers' Compensation, Department of Financial Services  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dan Sumner, Deputy Division Director, Division of Workers' Compensation, Department of Financial Services  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2003  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2003

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

**DEPARTMENT OF STATE**  
**Division of Library and Information Services**  
 RULE NO.: 1B-2.011  
 RULE TITLE: Library Grant Programs

NOTICE OF CHANGE

In accordance with subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule which was published in the Florida Administrative Weekly, Vol. 29, No. 32, on August 8, 2003. The rule incorporates by reference guidelines and forms relating to the State Aid to Libraries Grant Program. Changes have been made to the guidelines and forms for the State Aid to Libraries Grant Program to reflect comments made by the Joint Administrative Procedures Committee (JAPC) and in response to comments received.

Copies of the full text of the changes may be obtained by contacting: Judith Ring, Director, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)245-6600, Suncom 205-6600.

DEPARTMENT OF INSURANCE

RULE NO.: 4-176.013
RULE TITLE: Notification of Insured's Rights and Standard Disclosure Form; Personal Injury Protection Benefits

NOTICE OF ADDITIONAL HEARING

Notice is hereby given that Rule 4-176.013, F.A.C., has been removed from the November 12, 2003, agenda of the Financial Services Commission, which was noticed in Vol. 29, No. 43, October 14, 2003, Florida Administrative Weekly. An additional public hearing will be held on the rule, which was originally noticed in Vol. 29, No. 36, on September 5, 2003, of the Florida Administrative Weekly.

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

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

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Information Systems

RULE CHAPTER NO.: 11C-6
RULE CHAPTER TITLE: Criminal History Records Dissemination Policy

RULE NO.: 11C-6.004
RULE TITLE: Procedures for Requesting Criminal History Records

NOTICE OF CORRECTION

The Florida Department of Law Enforcement announces a correction to the Notice of Proposed Rule Making regarding the above rule which appeared in the September 5, 2003 Florida Administrative Weekly.

Specifically, the portion of the Notice regarding the date of publication of the Notice of Rule Development should read:

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

DEPARTMENT OF LAW ENFORCEMENT

Medical Examiners Commission

RULE CHAPTER NO.: 11G-2
RULE CHAPTER TITLE: Standard Investigation Procedures
RULE NO.: 11G-2.003
RULE TITLE: Investigation

NOTICE OF CORRECTION

The Florida Department of Law Enforcement announces a correction to the Notice of Proposed Rule Making regarding the above rule which appeared in the September 5, 2003 Florida Administrative Weekly.

Specifically, the portion of the Notice regarding the date of publication of the Notice of Rule Development should read:

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

DEPARTMENT OF LAW ENFORCEMENT

Office of Inspector General

RULE CHAPTER NO.: 11N-1
RULE CHAPTER TITLE: Control Strategy Implementation Account

RULE NOS.: 11N-1.0022
RULE TITLES: Matching Drug Control Investigative Funding

11N-1.0031
Limitations on Matching Drug Control Investigative Funding

11N-1.004
Procedures for Emergency Violent Crime Investigative Funding

11N-1.005
Procedures for Formal Funding Requests for Violent Crime Investigative Reimbursement Funding

11N-1.0051
Procedures for Funding Requests for Matching Drug Control Investigative Funding

11N-1.009
Victim/Witness Protection Program

NOTICE OF CORRECTION

The Florida Department of Law Enforcement announces A correction to the Notice of Proposed Rule Making regarding the above listed rules which appeared in the September 5, 2003 Florida Administrative Weekly.

Specifically, the portion of the Notice regarding the date of publication of the Notices of Rule Development should read:

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-96
RULE CHAPTER TITLE: State Highway System Connection Permits

RULE NOS.:	RULE TITLES:
14-96.0011	Forms
14-96.002	Definitions
14-96.005	Application
14-96.007	Application Submittal, Review, Approval, and Conditions

NOTICE OF CHANGE

SUMMARY OF CHANGE: The following changes are in response to comments from the Joint Administrative Procedures Committee review.

1. In Rules 14-96.0011 and 14-96.005, F.A.C., Section 334.044(28), Florida Statutes, is added to the Law Implemented citations.

2. In Form 850-040-15 (Page 3), the statutory citation reference to Section 335.182(2)(b), Florida Statutes, is changed to 335.182(3), Florida Statutes.

3. In Form 850-040-16, Section (8), the "Make checks payable to the State of Florida Department of Transportation." is being deleted.

4. In Form 850-040-18 (Page 2), subparagraphs 3. and 4. Are revised as follows:

3. Comply with subsection 14-96.008(1), F.A.C., Disruption of Traffic.

4. Comply with subsection 14-96.008(7), F.A.C., on Utility Notification requirements."

NOTE: In addition, all references to "Rule Chapter" are revised to read "Rule" as the Rule Chapter itself is 14-96, F.A.C.

5. In Form 850-040-18 (Page 2), a technical correction to a rule citation is corrected.

6. In Form 850-040-18 (Page 2), a statutory citation reference is corrected. Also, in one paragraph, "may" is changed to "must" and the paragraph is reworded for clarification.

7. In Form 850-040-18 (Page 3), The first "may" is being changed to "shall" with other appropriate wording changes for clarification.

The #1 will read as follows:

"The non-conforming connection(s) described in this Permit is (are) not Permitted for Average Daily Trips exceeding the Category permitted on Page 1 of this Permit, or as specified in the Other Special Provisions below."

The #2 will read:

"All non-conforming connections, and those conditions that violate subparagraph 1. above, will be subject to closure or relocation when reasonable access becomes available in the future.

8. Form 850-040-18 Page 3 (part 6) next to the last paragraph will be changed to read:

"Mediation, pursuant to Section 120.573, Florida Statutes, will ~~may~~ be available if agreed to by all parties, and on such terms as may be agreed upon by all parties. The right to an administrative hearing is not affected when mediation does not result in a settlement."

9. In Rule subsection 14-96.007(6), the wrong form was shown as being amended. The notice of rulemaking showed an amendment to Form 850-040-24, but should have shown 850-040-18, as shown below:

(6) Issuance of Permit. A Driveway Connection Permit for All Categories, Form 850-040-18, (~~04/03 09/02~~), will be issued after the applicant provides satisfactory evidence of compliance with all conditions that must be met before issuance of a permit. A permit shall be subject to all the conditions set forth in the Proposed State Highway Access Connection Notice of Intent to Issue Permit, Form 850-040-24, (09/02). A permit authorizes construction for one year from the date of issuance and expires if construction of the connection is not completed within that period.

Notice was published in Florida Administrative Weekly, Vol. 29, No. 27, July 3, 2003. There were no requests for a hearing and no hearing was held. The rule chapter amendment has been suspended under the provisions of Section 120.54(3)(e)6., Florida Statutes, pending resolution of the comments resulting from the Joint Administrative Procedures Committee review.

NOTE: In addition to this change notice, the Department is amending paragraph 14-96.004(2)(b), F.A.C., by separate amendment. The Notice of Rule Development for that amendment is being published in this same issue of the Florida Administrative Weekly.

**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 MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NOS.:	RULE TITLES:
60Y-2.004	General Description of Organization and Functions of Commission Staff
60Y-2.005	General Information
60Y-2.007	Public Information and Inspection and Copying of Documents

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. 35, August 29, 2003, issue of the Florida Administrative Weekly.



60Y-2.004 General Description of Organization and Functions of Commission Staff.

(1) The staff units of the Commission consist of:

~~(h) Office of Mediation.~~

(3) The Office of General Counsel represents the agency in all legal proceedings before state and federal courts and agencies. The Office of General Counsel has the following additional duties:

(e) Provide voluntary mediation services;  
[re-letter subsequent paragraphs]

~~(9) The Office of Mediation Services provides voluntary mediation services.~~

60Y-2.005 General Information.

(5) All complaints, petitions and appeals from Commission action may be filed electronically by facsimile or at the Commission's website found at <http://fchr.state.fl.us> with the Commission. The original physically signed document shall be sent the same day by US Mail ~~or other official delivery agent.~~ The party who elects to file a document by electronic transmission shall be responsible for any delay, disruption, or interruption of the electronic signals and must accept full risk that the document may not be properly filed with the Commission as a result. The filing date for an electronically transmitted document shall be the date the Commission receives the complete document. All complaints may be sent by facsimile to the Manager of Customer Service at (850)488-5291. All petitions and appeals from Commission action may be sent by facsimile to the Clerk at (850)487-9363.

60Y-2.007 Public Information and Inspection and Copying of Documents.

(3) Copies of public records maintained by the Commission are available on the following basis:

(b) One dollar (\$1.00) for the first page copied and certified from a Commission file; fifteen cents (\$0.15) per page for any additional page from the same file;

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NO.:                      RULE TITLE:  
60Y-2.005                      General Information

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 39, September 26, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NO.:                      RULE TITLE:  
60Y-3.001                      Definitions

**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. 35, August 29, 2003, issue of the Florida Administrative Weekly.

60Y-3.001 Definitions.

(13) "Disability" means a condition that is an impairment that substantially limits one or more of the major life activities as interpreted by 42 U.S.C. § 12102(2) in the Americans with Disabilities Act of 1990.

(28) "Date of determination" means the date the Determination was signed by the Executive Director or his or her designee delegatee.

(30) "Electronic filing" pursuant to subsection 60Y-2.005(5), F.A.C., means filing by facsimile or at the Commission's website found at <http://fchr.state.fl.us>.

(31) "Familial status" means whether or not children under the age of 18 are living with the complainant, and/or whether the Complainant is pregnant, or whether the Complainant has a pending adoption, ~~or not.~~

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NO.:                      RULE TITLE:  
60Y-3.001                      Definitions

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 39, September 26, 2003, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NOS.:                      RULE TITLES:  
60Y-7.001                      Complaints  
60Y-7.004                      Investigation of Complaints

**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. 35, August 29, 2003, issue of the Florida Administrative Weekly.

60Y-7.001 Complaints.

(6) Amendments

(a) A complaint may be ~~reasonably and fairly~~ amended within 60 days after filing and, thereafter, ~~for good cause~~ with the consent of the Executive Director upon discovery of new facts or upon a finding that information previously provided by the respondent was misrepresented.

60Y-7.004 Investigation of Complaints.

(7) Negotiated Settlement. During the mediation and ~~and/or~~ investigation processes, the Commission shall endeavor to encourage the complainant and the respondent to settle the complaint on mutually agreeable terms. If the settlement is

achieved by a Negotiated Settlement Agreement, its terms shall be reduced to writing and signed and dated by the complainant and the respondent. If a settlement is achieved as a Withdrawal with Settlement, only the complainant need sign and date. A copy of the agreement shall be filed with the Clerk. A complaint which has been settled may be dismissed by the Executive Director upon such terms and at such time as may be provided in the written agreement subject to compliance.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE NO.: 60Y-11.003  
 RULE TITLE: Who May File a Complaint; Confidentiality

**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. 35, August 29, 2003, issue of the Florida Administrative Weekly.

60Y-11.003 Who May File a Complaint; Confidentiality.

(2) All complaints filed with the Commission and all records and documents in the custody of the Commission which relate to and identify a particular person, ~~including but not limited to, a complainant, state agency or covered independent contractor~~ shall be confidential and shall not be disclosed by the Commission, except to the parties or in the course of a hearing or proceeding under Section 112.3187, F.S. Disclosure is authorized to any other agency of the state or any other unit of government of the state that has jurisdiction of the subject matter of the complaint or that has legal authority to investigate the complaint.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

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

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 29, No. 35, August 29, 2003, issue of the Florida Administrative Weekly. The changes are in response to written comments received from the Division's totalisator companies and the Joint Administrative Procedures Committee.

61D-7.010 Daily Three Pool.

(1) through (3)(b)4. No change.

(c) If the pool is distributed under the precedents of subparagraphs (3)(b)2. or (3)(b)3., an announcement shall be made to the public as to the possible winning daily three combinations and to hold all possible winning tickets.

(4) through (5)(a) No change.

(b) In the event that any betting interest in the second or third contest is withdrawn or declared a non-starter after the Daily Three race has started, the following wagers will be eligible for a consolation payoff: the winner in the first contest with a scratch in the second and third contest; or the winner of the first contest with a scratch in the second or third contests and a winner in the remaining contest. The consolation pool shall be the sum of the amount bet on all Daily Three wagering combinations with scratched betting interests. This amount shall be paid to all eligible consolation winners using the single price method.

1. ~~The total consolation payout sum of the amounts bet on all combinations~~ identified in paragraph (5)(b) shall be deducted from the net pool and awarded to the eligible consolation winners using the single price calculation method. The remaining net pool shall be available for distribution to the regular winners as specified in subsection paragraph (2).

2. No change.

~~(6) If any leg is canceled prior to the start of the first Daily Three race or if the first leg is declared "no race," the pool will be refunded. If all three Daily Three contests are canceled or declared "no contest," the entire Daily Three pool shall be refunded.~~

~~(7) If, after the first leg has been declared official, one or both of the subsequent contests are canceled or declared "no race," one or two of the Daily Three contests are canceled or declared "no contest," the Daily Three pool will remain valid and shall be distributed in accordance with subsection (2) of this rule.~~

DAILY THREE POOL

Consolation Pricing

Example

Sum of Wagers on All Betting Interests = \$27,200.00

Refunds = \$0.00

Gross Pool:

Sum of Wagers on All Betting Interests – Refunds = \$27,200.00

Percent Takeout = 20%

Takeout:

Gross Pool x Percent Takeout = \$5,440.00

Net Pool:

Gross Pool – Takeout = \$21,760.00

Consolation Pool:

Sum of Amounts Bet on all wagering combinations with scratched betting interest in the second or third contest = \$5,400.00

Sum bet on combinations eligible for consolation price = \$800.00

Unbroken Consolation Price:

Sum of Amounts Bet on all wagering combinations with scratched betting interest in the second or third contest/Sum bet on combinations eligible for consolation price

Unbroken Price = \$6.75  
\$1 Broken Price = \$6.70  
Consolation Liability:  
\$1 Broken Price x Sum bet on combinations eligible for  
consolation price = \$5,360.00  
Adjusted Net Pool:  
Net Pool – Consolation Liability = \$16,400.00  
Amount Bet on Regular Winners = \$2,200.00  
Profit:  
Adjusted Net Pool – Amount Bet on Regular Winners =  
\$14,200.00  
Profit Per Dollar:  
Profit/Amount Bet on Regular Winners = \$6.45454545  
\$1 Unbroken Price:  
Profit Per Dollar + \$1 = \$7.45454545  
\$1 Broken Price = \$7.40  
Total Payout:  
\$1 Broken Price x Amount Bet on Regular Winners =  
\$16,280.00  
Consolation Payout = \$5,360.00  
Total Breakage:  
Net Pool – Total Payout = \$120.00

Specific Authority 550.0251(3),(7), 550.155(1) FS. Law Implemented 550.0251, 550.155(1) FS. History—New 10-20-96, Amended 12-15-97,

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-3.008                      RULE TITLE: Pre-licensing Education for Broker and Sales Associate Applicants

**SECOND NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 29, No. 11, March 14, 2003, issue of the Florida Administrative Weekly and amended in Vol. 29, No. 39, September 26, 2003. The changes are pursuant to the orders of the Florida Real Estate Commission and for the purpose of publishing the specific text changes to the rule as amended and proposed by the Florida Real Estate Commission.

61J2-3.008 Pre-licensing Education for Broker and Sales Associate Applicants.

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

(b) The school must submit to the Commission two complete copies of the course materials and end-of-course examinations; one submission must be blind. The school must also submit a copy of the course, and access to the course, in

the format in which the student will use it. When delivered by distance education, the course and examination shall comply with the “Course Approval criteria” as follows:

- 1. through 2. No change.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-3.009                      RULE TITLE: Continuing Education for Active and Inactive Broker and Sales Associate Licensees

**SECOND NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 29, No. 11, March 14, 2003, issue of the Florida Administrative Weekly and amended in Vol. 29, No. 39, September 26, 2003. The changes are pursuant to the orders of the Florida Real Estate Commission and for the purpose of publishing the specific text changes to the rule as amended and proposed by the Florida Real Estate Commission.

61J2-3.009 Continuing Education for Active and Inactive Broker and Sales Associate Licensees.

- (1)(a) No change.

(b) The Commission shall ~~may~~ approve any specialty course, seminar or conference in the real estate practice area provided by a public or private school, firm, association, organization, person, corporation or sponsor (“provider”). “Specialty” courses on real estate practices shall be approved for ~~consist of~~ not more than 11 hours of instruction of 50 minutes each. The Commission will approve the course for 24 months plus the remaining period of the renewal cycle following the end of the 24 month period at which point the course will expire. A provider must submit two complete sets, including one blind copy, of course materials and end-of-course examinations to the Commission for evaluation at least 60 days prior to use and receive approval before it may offer the course examination. Approval or denial of a “specialty” course will be based on its compliance with the criteria established in Chapter 475.182(1), Florida Statutes. Thereafter, it is the responsibility of the provider offering the Commission-approved courses to keep the course materials current and accurate, as changing times and laws require, and obtain approval from the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(2)(a) The Commission-prescribed Core Law course ~~or~~ ~~courses~~ totaling 3 hours of instruction of 50 minutes each will review and update licensees on Florida real estate license law, Commission rules, and agency law, and provide an introduction to other state laws, federal laws, and taxes affecting real estate. Approval or denial of the

Commission-required Core Law course will be based on the extent to which the course content covers the above-referenced subject areas. Examinations, if required, must test the course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes for re-evaluation.

(b) No change.

(3) No change.

(4)(a) A grade of 80% or higher on the Commission-prescribed continuing education course or courses examination constitutes satisfactory course completion. Students failing the Commission-prescribed course examination must repeat the course of study prior to being eligible to retake the course examination, which must be a different examination from the one the student previously failed. No examination shall contain more than 20% duplication of questions.

(b) No change.

(c) The objective of the distance education course of study end-of-course examination is to test fairly and reliably whether students have learned essential facts and concepts from the course. The examination shall consist of a minimum of 30 items or, if delivered in smaller modules, the examination shall consist of a minimum of 10 items for courses of 5 hours or less. For courses greater than 5 hours, but less than 14 hours, the examination shall consist of a minimum of 2 items per instruction hour. All questions shall be multiple choice with 4 answer choices each. The order of the examination questions may not follow the sequence of the course content. The answer key must be unique for each form of the examination. The answer key must reference the page number(s) containing the information on which each question and correct answer is based. At least 70% of the questions on each form of the test shall be at the application level or higher. No more than 10% of the questions on each form of the test shall be at the knowledge level. The answer key must be unique for each form of the examination. Any school offering the Commission-prescribed continuing education course of study by distance education must maintain a sufficient bank of questions to assure examination validity when administering the examination to licensees from a common source such as a specific business, firm or family.

1. through 2. No change.

(d) through (e) No change.

(5) Accredited universities, colleges and community colleges in this state, area technical centers, approved providers or real estate schools registered ~~licensed~~ pursuant to Section 475.451, Florida Statutes, may offer the Commission-prescribed or approved specialty courses. Accredited universities, colleges and community colleges in this state, area technical centers or real estate schools registered ~~licensed~~ pursuant to Section 475.451, Florida Statutes, may offer the Commission-prescribed Core Law course ~~or courses.~~

Satisfactory completion of these courses will not entitle any person to renew a license as a real estate broker or sales associate until such person has met all requirements of law.

(6) No change.

~~(7) Of the required 14 classroom hours, a licensee may apply a maximum of 3 hours toward the continuing education "specialty" course hours by attending a meeting of the Commission wherein disciplinary cases are considered during a renewal cycle. Licensees must attend the entire day of disciplinary cases to receive the continuing education "specialty" credit hours. At least 7 days advance notice of the intent to attend the disciplinary case session must be given to the Education Section of the Division of Real Estate so attendance may be monitored. Failure to give advance notice may result in no credit. A licensee may not earn any continuing education credit for attending a Commission meeting as a party to a disciplinary action.~~

~~(7)(8)~~ No change.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.:  
61J2-3.020

RULE TITLE:  
Post-licensing Education for Active and Inactive Broker and Sales Associate Licensees

**SECOND NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 29, No. 11, March 14, 2003, issue of the Florida Administrative Weekly and amended in Vol. 29, No. 39, September 26, 2003. The changes address comments made by the Joint Administrative Procedures Committee and for the purpose of publishing the specific text changes to the rule as amended and proposed by the Florida Real Estate Commission.

61J2-3.020 Post-licensing Education for Active and Inactive Broker and Sales Associate Licensees.

(1) All applicants for licensure who pass a broker or sales associate licensure examination must satisfactorily complete a Commission-prescribed post-licensing course prior to the first renewal following initial licensure. The licensee must take the post-licensing course or courses at an accredited ~~college~~, university, college, community college, area technical center in this state, real estate school registered, pursuant to Section 9-475.451, Florida Statutes, or a Commission-approved sponsor ("provider").

(a) For a licensed sales associate, the post-licensing education requirement shall consist of one or more Commission-approved courses which shall not exceed total at least 45 hours of 50 minutes each, inclusive of examination, in subjects including, but not limited to: agency law, property

management, appraisal, real estate finance, or economics of real estate management. Post-licensing courses shall consist of a minimum of 15 hours of instruction of 50 minutes each.

(b) No change.

(2) No change.

(3) The provider must submit two complete copies of the course materials and end-of-course examinations; one submission must be blind. The provider must also submit a copy of the course, ~~and~~ or access to the course, in the format in which the student will use it. The course and examination, when delivered via distance education, shall comply with "Course Approval Criteria" as follows:

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

a. through f. renumbered 1. through 6. No change.

~~7.g.~~ The Provider must demonstrate that ~~permitted~~ instructors and technical staff are available to assist students with instruction. Instructor and technical assistance must be made available to students and posted in a prominent location.

h. through i. renumbered 8. through 9. No change.

(4) through (8) No change.

(9) The Commission will allow an additional 6-month period after the first renewal following initial licensure for brokers and sales associates who cannot, due to individual physical hardship, complete the course or courses within the required time. Individual physical hardship is defined as a case wherein a person desiring to take the Commission prescribed courses cannot, by reason of a physical hardship, attend the place where the classes are conducted. Any person desiring to complete the education course by means of distance education shall make a request to the Commission in writing, setting forth the basis of the alleged hardship. The Commission shall require said request to be supported by statements of doctors and other persons having knowledge of the facts.

(10) No change.

**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**

**Division of Medical Quality Assurance**

RULE NO.: RULE TITLE:

64B-3.004 Diagnostic Testing.

**NOTICE OF PUBLIC HEARING**

The Department of Health, Division of Medical Quality Assurance, hereby gives notice of a public hearing, to be held on Tuesday, November 18, 2003, 9:00 a.m., at Betty Easley Conference Center, 4075 Esplanade Way, Room 182, Tallahassee, Florida 32399, to which all interested persons are

invited. The purpose of the hearing is to address the adoption of a rule listing diagnostic tests deemed not to be medically necessary for use in the treatment of persons sustaining bodily injury covered by personal injury protection benefits.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399.

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

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: RULE TITLE:  
64B4-5.008 Terms of Probation

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 33, of the Florida Administrative Weekly on August 15, 2003, has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Developmental Services Program Office**

RULE CHAPTER NO.: RULE CHAPTER TITLE:  
65B-4 Service Delivery Practice and Procedure

RULE NO.: RULE TITLE:  
65B-4.032 Determination of Mental Retardation in Capital Felony Cases Intelligence Tests to be Administered

NOTICE OF CHANGE

The Department of Children and Family Services hereby publishes this Notice of Change to the Notice of Proposed Rule Amendment, Rule Chapter 65B-4, F.A.C., which was published in Vol. 28, No. 32, August 9, 2002, issue of the Florida Administrative Weekly.

(1) When a defendant convicted of a capital felony is suspected of having or determined to have mental retardation, intelligence tests to determine intellectual functioning as specified below shall be administered by a qualified professional who is authorized in accordance with Florida Statutes to perform evaluations in Florida. The test shall consist of an individually administered evaluation, which is valid and reliable for the purpose of determining intelligence. The tests specified below shall be used.

1. The Stanford-Binet Intelligence Scale
2. Wechsler Intelligence Scale.

(2) Notwithstanding this rule, the court, pursuant to Section 921.136(4), Florida Statutes, is authorized to consider the findings of the court appointed experts or any other expert utilizing individually administered evaluation procedures which provide for the use of valid tests and evaluation materials, administered and interpreted by trained personnel in conformance with instructions provided by the producer of the tests or evaluation materials. The results of the evaluations submitted to the court shall be accompanied by the published validity and reliability data for the examination.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NOS.:	RULE TITLES:
67-25.002	Definitions
67-25.007	Allocation Proceeds
67-25.008	Program Fees
67-25.009	Commitment and Origination Periods
67-25.011	Loan Processing
67-25.012	Eligible Persons
67-25.017	Rating of Bonds

NOTICE OF CHANGE

Notice is hereby given that in response to recommendations made by the Joint Administrative Procedures Committee, the following changes have been made to Rule Chapter 67-25, Florida Administrative Code, as published in Vol. 29, No. 37 of the Florida Administrative Weekly on September 12, 2003.

67-25.002 Definitions.

(1) "Act" means the Florida Housing Finance Corporation Act, as found in Chapter 420, Part V, Florida Statutes, ~~as amended.~~

(2) "Acquisition Price" means the cost of acquiring a single-family residence from the seller as a completed residential unit.

(3) "~~Annualized Current Family~~ Income" means the mortgagor's annualized current gross income. Annualized current gross income is current gross monthly income multiplied by twelve (12). ~~Current g~~Gross monthly income is the sum of monthly gross pay; any additional income from overtime, part-time employment, bonuses, dividends, interest royalties, pensions, Veterans Administration (VA) compensation, net rental income, etc.; and other income (such as alimony, child support, public assistance, sick pay, social security benefits, unemployment compensation, income received from trusts, and income received from business activities or investments.) ~~The income to be taken into account in determining the gross monthly income is the income of the mortgagor (or mortgagors) and any other person who is expected to principally and permanently reside in the residence being financed.~~

(4) through (11) No change.

(12) "Conventional Mortgage Loan" means a Mortgage Loan other than an FHA Insured Mortgage Loan, USDA-RD Guaranteed Mortgage Loan, VA Guaranteed Mortgage Loan or HUD Section 184 Guaranteed Mortgage Loan, satisfying the requirements of Freddie Mac, Fannie Mae or a private mortgage insurance provider, ~~as applicable.~~

(13) through (14)(b) No change.

(c) To the extent required by ~~applicable~~ federal law, ~~if any,~~ with respect to each person who purchases a single-family residence not located within a targeted area, each such person who is executing the mortgage is a first time home buyer.

(15) through (15)(b) No change.

(c) That may consist of two-, three-, four-family dwelling units and all of which units were first occupied as homes at least five (5) years before the Loan with respect to such Home which;

1. Is designed and intended primarily for residential housing;

2. Is determined by a qualified appraisal to have an expected useful life of not less than 30 years or term of the First Mortgage, whichever is less; and

3. Will be occupied by the owner as his or her principal residence within a 60 days after financing is provided.

(16) No change.

(17) "FHA" means the Federal Housing Administration of the U.S. Department of Housing and Urban Development ~~or other Corporation or instrumentality created or chartered by the U.S. to which the powers of the Federal Housing Administration have been transferred.~~

(18) "FHA Insurance" means FHA mortgage insurance on residences issued under one of the following FHA programs pursuant to the National Housing Act of 1937, ~~as amended:~~

- (a) Section 203(b) – home unsubsidized;
- (b) Section 234(c) – condominiums;
- (c) Section 203(v) – veterans status.

(19) No change.

~~(20) “Laws” means all applicable statutes, laws, ordinances, regulations, orders, rules or directives of the United States, the state of Florida or any county therein.~~

~~(20)(21) “Lender Guide” means the guide prepared by the Servicer for the origination and delivery of Mortgage Loans to be purchased by the Servicer and the eligibility, credit and security underwriting standards applicable to the Single Family Bond Program thereto.~~

~~(21)(22) “Low Income” means 80 percent of the median income for the county in which the single-family residence is located or of the median income of the state, whichever is greater.~~

~~(22)(23) “Maximum Acquisition Price” means the maximum purchase price of a Single Family Residence, as prescribed in the IRS Revenue Procedures 94-55, hereby incorporated by reference. The Acquisition Price Limits are also subject to the FHA/VA/RD limits for the counties, hereby incorporated by reference. Copies of these documents A copy may be obtained by contacting the Single Family Bonds Program Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. Acquisition Price limits are also subject to the applicable FHA/VA/RD limits for the Counties.~~

~~(23)(24) “Maximum Annual Family Income” means, with respect to Mortgage Loans originated on new and existing Single Family Residences, the annual family income may not exceed 115% (or 120% in targeted areas) of the state or local median income, whichever is greater as required by federal law, applicable limits announced by the Corporation which amounts shall be based on state and area median income figures published by the United States Department of Housing and Urban Development annually, hereby incorporated by reference, and any other requirements relating to a particular county in the State. A copy of these figures may be obtained by contacting the Single Family Program Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The maximum annual family income limits are established by the Corporation under a specific bond program as set forth in the Program Documents.~~

~~(24)(23) “Middle Income” means 150 percent of the median income for the county in which the single-family residence is located or of the median income of the state, whichever is greater.~~

~~(25)(24) “Moderate Income” means 120 percent of the median income for the county in which the single-family residence is located or of the median income of the state, whichever is greater.~~

~~(26)(25) “Mortgage” means the instrument securing a mortgage loan which creates a first lien on a single-family residence subject to permitted encumbrances.~~

~~(27)(28) “Mortgage Loan” means an interest-bearing obligation secured by a mortgage constituting a first lien on a Single Family Residence in the State which is in the form of a mortgage or other instrument approved by the FHA in the case of an FHA insured loan, VA in the case of a loan guaranteed by VA, RD in the case of a loan guaranteed by RD, Fannie Mae or Freddie Mac in the case of a conventional loan, or as approved by Florida Housing for other loans. The mortgage must, which incorporates the Tax-Exempt Financing Rider in the form in the Lender Guide, if applicable (or such other rider as may be applicable); and which meets the requirements set forth in the Master Mortgage Purchase Agreement. As used herein, “Mortgage Loan” does not include loans generated under the Corporation’s second mortgage loan programs.~~

~~(28)(29) “Mortgage Note” means the then-effective form of mortgage note required by FHA for FHA insured loans and the form required by VA for VA guaranteed loans, and the form required by Fannie Mae or Freddie Mac for conventional loans and by RD for RD loans, as applicable, with appropriate riders, executed to evidence the mortgagor’s obligation to repay the Mortgage Loan.~~

~~(29)(30) “New Construction” means a residential dwelling unit which has not previously been occupied as a residence.~~

~~(30)(31) “Participating Lender” means the entity signing a Master Mortgage Purchase Agreement and the all applicable Supplements to the Master Mortgage Purchase Agreement, hereby incorporated by reference. A copy of this document may be obtained by contacting the Single Family Bonds Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1397. By which by virtue of executing the Master Mortgage Purchase Agreement the Participating Lender represents that it is a home mortgage lending institution or entity:~~

~~(a) Participating in the local private home lending market;~~

~~(b) That is an FHA – approved mortgagee (with direct endorsement underwriting authority preferred), or a VA-approved lender (with automatic approval authority preferred), or an RD approved lender (unless waived by the Corporation or its designee);~~

~~(c) With respect to Conventional Mortgage loans, is a Fannie Mae and/or Freddie Mac approved lender in good standing, has errors and omissions coverage of at least \$300,000, meets the requirements of the Corporation or its designee with respect to financial status and is acceptable to a Fannie Mae and/or Freddie Mac PMI Insurer, if applicable;~~

~~(d) Which can make the representations and warranties and covenants set forth in the Master Mortgage Purchase Agreement; and~~

~~(e) which has agreed to and will originate Mortgage Loans itself or through Correspondent Lenders.~~

~~(31)(32) “Program” or “Single-Family Bond Program” means the Corporation’s Single-Family Mortgage Revenue Bond Program pursuant to which a trustee, on behalf of the~~

Corporation, will purchase Qualified Mortgage Loans from the participating lenders or obligations secured by Qualified Mortgage Loans from Qualified Lending Institutions.

~~(32)~~<sup>(33)</sup> “Qualified Appraiser” means an individual or firm that is qualified as an appraiser by the society of real estate appraisers or the American Institute of Real Estate Appraisers and acceptable or approved by FHA, VA, Fannie Mae, Freddie Mac or any private mortgage insurance provider to provide appraisal reports.

~~(33)~~<sup>(34)</sup> “Qualified Lending Institution” means any bank or trust company, mortgage banker, savings bank, credit union, national banking association, savings and loan association, building and loan association, insurance company, the First Housing Development Corporation of Florida, or other financial institution or governmental Corporation authorized to transact business in the state of Florida which institution customarily provides services in the financing of mortgages for real property in Florida. All Qualified Lending Institutions must be qualified FHA, VA, FNMA or FHLMC originators and servicers as required by the program documents. ~~The Corporation shall have the right to require representatives of the Qualified Lending Institution to attend educational programs related to their participation in the bond programs in order for the Qualified Lending Institution to remain eligible to participate in Corporation programs.~~

~~(34)~~<sup>(35)</sup> “Qualified Mortgage Loan” means any loan under the Corporation programs made to an eligible borrower and evidenced by a mortgage note which is secured by a related mortgage on the eligible property.

~~(35)~~<sup>(36)</sup> “Single-Family Residence” ~~or “Home”~~ means a residential unit used as a single-family residence, which is taxed as real property under the laws of the state and is located in the State, including a condominium unit and a manufactured home meeting conventional or FHA standards, which is acceptable to any insurer providing private mortgage insurance, under the program or FHA, VA or RD. The dwelling structure may consist of two-, three- or four-family dwelling units, one unit of which is to be occupied by the mortgagor of the units and all of which units were first occupied as homes at least five (5) years before the Loan with respect to such Home which:

- (a) Is designed and intended primarily for residential housing;
- (b) Is determined by qualified appraisal as provided herein to have an expected useful life of not less than 30 years or the term of the mortgage, whichever is less;
- (c) Will be occupied by the owner as his or her principal residence within a reasonable time after financing is provided. For purposes of this subparagraph, 60 days shall be deemed a reasonable time;
- (d) Acquisition price does not exceed the maximum acquisition price; and

(e) Appurtenant land reasonably maintains the basic livability of the residence and will not be used for business purposes to generate additional ~~does not provide, other than incidentally, a source of income for~~ to the Eligible Borrower; (including child care services on a regular basis for compensation) unless such income is used to qualify the borrower for the loan.

~~(36)~~<sup>(37)</sup> “Targeted Area” means those areas within the State listed as Federally Designated Census Tracts, Areas of Chronic Economic Distress (if any) and areas in need of economic revitalization as determined by local government officials and adopted by Resolution, hereby incorporated by reference. A copy of the listing of such areas can be obtained by contacting the Single Family Bonds Program Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329.

~~(37)~~<sup>(38)</sup> “VA” means the Department of Veterans Affairs, an agency of the United States of America, ~~or any successor to its functions.~~

Specific Authority 420.507(12),~~(24)~~ FS. Law Implemented 420.509~~3~~, 420.509(11)(c) FS. History–New 4-15-87, Formerly 9I-25.002, Amended \_\_\_\_\_.

67-25.007 Allocation of Proceeds.

- (1) No change.
- (2) In determining the allocations the Corporation shall consider:
  - (a) The ability of the Qualified Lending Institution to originate, process and, ~~if applicable,~~ service program loans.
  - (b) through (j) No change.

Specific Authority 420.507(12) FS. Law Implemented 420.507(14), 420.508 FS. History–New 4-15-87, Formerly 9I-25.007, Amended \_\_\_\_\_.

67-25.008 Program Fees.

- (1) No change.
- (2) The Corporation shall also charge a commitment fee in the amount of 1% of the aggregate amount of the allocation received by ~~to~~ the participant at the time of allocation of the proceeds. If funds are made available on a first-come, first-served basis, the Corporation shall not charge a commitment fee. This commitment fee may be recouped by the participant upon the origination and closing of loans under the program by charging a loan origination fee to the eligible borrowers.

Specific Authority 420.507~~(4)~~,(12) FS. Law Implemented 420.507, 420.508 FS. History–New 4-15-87, Formerly 9I-25.008, Amended \_\_\_\_\_.

67-25.009 Commitment and Origination Periods.

- (1) The Corporation shall determine the length of the commitment period for its bond programs based on the size of the bond issue, market conditions and the best interest of the public. For purposes of this rule, commitment period shall mean the period during which participants may make loan commitments to eligible borrowers. At the end of such commitment period, the Corporation shall forfeit any



remaining allocation of a participant which has failed to make commitments up to the amount of its allocation if it determines that it is in the best interest of the program and the public interest and shall make the remaining funds accessible to all Participating Lenders statewide on a first-come, first-served basis, ~~if applicable.~~

(2) No change.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.508 FS. History—New 4-15-87, Formerly 91-25.009, Amended \_\_\_\_\_.

67-25.011 Loan Processing.

All applicants for and all Qualified Mortgage Loans ~~are shall~~ be processed by the Participating Lenders in accordance with the Participating Lenders’ standard underwriting criteria and additional criteria which may be imposed by FHA, VA, Fannie Mae, Freddie Mac, RD or other parties insuring and guaranteeing the ~~bonds~~ or the Qualified Mortgage Loans. All closed Qualified Mortgage Loans shall be presented to the trustee or to the Qualified Lending Institution issuing obligations secured by the Qualified Mortgage Loans for purchase of the Qualified Mortgage Loans or obligations pursuant to the program documents.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.508 FS. History—New 4-15-87, Formerly 91-25.011, Amended \_\_\_\_\_.

67-25.012 Eligible Persons.

In determining the maximum annual family income of eligible persons under a single-family bond program, the Corporation shall take into consideration the following:

(1) The amount of total income and assets which are available for housing needs of such persons or families. The income to be taken into account in determining the gross monthly income is the income of the mortgagor (or mortgagors) and any other person who is expected to principally and permanently reside in the residence being financed;

(2) The size of the family;

(3) The cost and condition of available housing facilities;

(4) The ability of such persons or families to compete successfully in the normal private housing market and to pay the amounts at which private enterprise is providing decent, safe and sanitary housing; and

(5) ~~The~~ If appropriate, these standards established for various federal programs determining eligibility based on income and such persons or families.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507(14), 420.507(21) FS. History—New 4-15-87, Formerly 91-25.012, Amended \_\_\_\_\_.

67-25.017 Rating of Bonds.

The Corporation shall determine what rating, ~~if any,~~ is required on the bonds. In making that determination, the Corporation will take into consideration the current marketing conditions and the best interest of the public.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History—New 4-15-87, Formerly 91-25.017, Amended \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Board of Funeral and Cemetery Services**

RULE NOS.:	RULE TITLES:
69K-5.0015 (Formerly 3F-5.0015)	Certificates of Authority
69K-5.0035 (Formerly 3F-5.0035)	Termination of a Preneed Sales Agent
69K-5.004 (Formerly 3F-5.004)	Procedures for Licensing a New Cemetery
69K-5.006 (Formerly 3F-5.006)	Procedure for Licensing Cemeteries
69K-5.008 (Formerly 3F-5.008)	Request for Additional Information – Applications

NOTICE OF CORRECTION

The above-proposed rules were published in the September 26, 2003 issue of the Florida Administrative Weekly, Vol. 29, No. 39, on page(s) 3802-03. The foregoing changes are to the Rule Numbers only and do not affect the substance of the proposed rules.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, FL 32399-0350

**DEPARTMENT OF FINANCIAL SERVICES**

**Board of Funeral and Cemetery Services**

RULE NO.:	RULE TITLE:
69K-7.006 (Formerly 3F-7.006)	Wholesale Purchase Price

NOTICE OF CORRECTION

The above-proposed rule was published in the September 26, 2003 issue of the Florida Administrative Weekly, Vol. 29, No. 39, on page(s) 3803. The foregoing change is to the Rule Number only and does not affect the substance of the proposed rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Diana Evans, Executive Director, Board of Funeral and Cemetery Services, 101 East Gaines Street, Tallahassee, FL 32399-0350

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 512, HOLIDAY DOUGH      RULE NO.: 53ER03-54

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 512, "HOLIDAY DOUGH," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-54 Instant Game Number 512, HOLIDAY DOUGH.

(1) Name of Game. Instant Game Number 512, "HOLIDAY DOUGH."

(2) Price. HOLIDAY DOUGH lottery tickets sell for \$1.00 per ticket.

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

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



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

<b>TICKET</b>	<b>\$1.00</b>	<b>\$2.00</b>	<b>\$5.00</b>
TICKET	ONE	TWO	FIVE
<b>\$10.00</b>	<b>\$20.00</b>	<b>\$100</b>	<b>\$500</b>
TEN	TWENTY	ONE HUN	FIVE HUN

(6) The legend is as follows:

PLAY AREA

(7) Determination of Prizewinners.



A ticket having a " WIN " symbol in the play area shall entitle the claimant to the corresponding prize shown. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$100, and \$500. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a \$1.00 ticket, except as follows. A person who submits by mail a HOLIDAY DOUGH lottery ticket which entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 512 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
TICKET	\$1 TICKET	1 IN	WINNERS IN
			56 POOLS OF
			180,000 TICKETS
			PER POOL
\$1	\$1	10.00	1,008,000
\$2	\$2	9.38	1,075,200
\$5	\$5	50.00	201,600
\$1 x 5	\$5	100.00	100,800
\$5	\$5	300.00	33,600
\$2 x 5	\$10	300.00	33,600
\$5 x 3	\$15	300.00	33,600
\$5 x 4	\$20	300.00	33,600
\$20	\$20	300.00	33,600
\$5 x 5	\$25	300.00	33,600
\$10 x 5	\$50	8,181.82	1,232
\$20 x 5	\$100	134,400.00	75
\$100 x 5	\$500	336,000.00	30
\$500	\$500	840,000.00	12

(9) The estimated overall odds of winning some prize in Instant Game Number 512 are 1 in 3.89. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 512, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

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

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 10-28-03.

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

EFFECTIVE DATE: October 28, 2003

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 511, BAH HUMBUCKS  
 RULE NO.: 53ER03-55  
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 511, “BAH HUMBUCKS,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:


53ER03-55 Instant Game Number 511, BAH HUMBUCKS.

(1) Name of Game. Instant Game Number 511, “BAH HUMBUCKS.”

(2) Price. BAH HUMBUCKS lottery tickets sell for \$2.00 per ticket.

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

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
ONE	TWO	THREE	FOUR	FIVE
<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
SIX	SEVEN	EIGHT	NINE	TEN
<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
ELEVN	TWELV	THRTN	FORTN	FIFTN
<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	
SIXTN	SVNTN	EIGHTN	NINTN	
 WIN				

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
ONE	TWO	THREE	FOUR	FIVE
<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
SIX	SEVEN	EIGHT	NINE	TEN
<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
ELEVN	TWELV	THRTN	FORTN	FIFTN
<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	
SIXTN	SVNTN	EIGHTN	NINTN	

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

<b>TICKET</b>	<b>\$1.00</b>	<b>\$2.00</b>	<b>\$5.00</b>	<b>\$10.00</b>	<b>\$20.00</b>	<b>\$25.00</b>
TICKET	ONE	TWO	FIVE	TEN	TWENTY	THY FIV
<b>\$50.00</b>	<b>\$100</b>	<b>\$200</b>	<b>\$1,000</b>	<b>\$5,000</b>	<b>\$10,000</b>	
FIFTY	ONE HUN	TWO HUN	ONE THO	FIVE THO	TEN THO	

(7) The legends are as follows:

WINNING NUMBERS      YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a number in the “YOUR NUMBERS” play area that matches any of the numbers in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to eight sets of matching numbers. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200, \$1,000, \$5,000 and \$10,000. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a ticket or combination of tickets with a total value of \$2.00, except as follows. A person who submits by mail a BAH HUMBUCKS lottery ticket that entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.



(b) A ticket having a “WIN” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to the corresponding prize shown.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 511 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
TICKET	\$2 TICKET	1 IN	WINNERS IN
			42 POOLS OF
			180,000 TICKETS
			PER POOL
\$2	\$2	10.71	705,600
\$2 x 2	\$4	37.50	201,600
\$1 + (\$2 x 2)	\$5	37.50	201,600
\$5	\$5	50.00	151,200
\$1 + (\$2 x 2) + \$5	\$10	100.00	75,600
(\$1 x 6) + (\$2 x 2)	\$10	100.00	75,600
\$10	\$10	150.00	50,400
\$25 (TOP HAT)	\$25	100.45	75,264
(\$5 x 2) + (\$10 x 4)	\$50	1,333.33	5,670
\$10 x 5	\$50	1,333.33	5,670
\$50 (TOP HAT)	\$50	450.00	16,800
(\$5 x 4) + (\$20 x 4)	\$100	23,261.54	325
(\$25 x 2) + \$50	\$100	23,261.54	325
\$100 (TOP HAT)	\$100	23,261.54	325
(\$25 x 6) + \$50	\$200	151,200.00	50
(\$100 x 6) + (\$200 x 2)	\$1,000	756,000.00	10
\$1,000	\$1,000	1,512,000.00	5
\$5,000 x 2	\$10,000	2,520,000.00	3
\$10,000	\$10,000	3,780,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 511 are 1 in 3.65. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 511, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a BAH HUMBUCKS lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

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

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 10-28-03.

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

EFFECTIVE DATE: October 28, 2003

DEPARTMENT OF THE LOTTERY

RULE TITLE:

RULE NO.:

Instant Game Number 509, HOLIDAY

GIFT TAG SET

53ER03-56

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 509, “HOLIDAY GIFT TAG SET,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-56 Instant Game Number 509, HOLIDAY GIFT TAG SET.

(1) Name of Game. Instant Game Number 509, “HOLIDAY GIFT TAG SET.”

(2) Price. HOLIDAY GIFT TAG SET lottery tickets sell for \$5.00 per ticket.

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

(4) Design of Ticket. Each HOLIDAY GIFT TAG SET lottery ticket is comprised of five individual lottery tickets: one “top ticket” and four “gift tags.”



(5) The top ticket play symbols and play symbol captions are as follows:



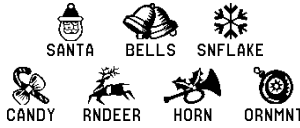
(6) The top ticket prize symbols and prize symbol captions are as follows:

<b>\$5.00</b>	<b>\$10.00</b>	<b>\$15.00</b>	<b>\$25.00</b>
FIVE	TEN	FIFTEEN	THY FIVE
<b>\$50.00</b>	<b>\$75.00</b>	<b>\$100</b>	<b>\$10,000</b>
FIFTY	SVY FIV	ONE HUN	TEN THO

(7) The top ticket legend is as follows:

PLAY AREA

(8) The gift tag play symbols and play symbol captions are as follows:



(9) The gift tag prize symbols and prize symbol captions are as follows:

<b>\$2.00</b>	<b>\$5.00</b>	<b>\$10.00</b>	<b>\$15.00</b>
TWO	FIVE	TEN	FIFTEEN
<b>\$25.00</b>	<b>\$50.00</b>	<b>\$75.00</b>	<b>\$100</b>
THY FIVE	FIFTY	SVY FIV	ONE HUN

(10) The gift tag legend is as follows:

PRIZE

(11) Determination of Prizewinners. There are two different play methodologies in Instant Game Number 509, which are described below. One play methodology is specific to the top ticket and the other play methodology is specific to the four gift tags.



(a) Top Ticket. A ticket having a “**STAR**” symbol in the play area shall entitle the claimant to the corresponding prize shown. The prizes are: \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, \$100, and \$10,000.

(b) Gift Tag. A ticket having two like symbols in the play area shall entitle the claimant to the prize shown. The prizes are: \$2.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, and \$100.

(12) The estimated odds of winning, value, and number of prizes in Instant Game Number 509 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
Gift Tags: \$2	\$2	1 IN	WINNERS IN
\$5	\$5	20.00	84 POOLS OF
\$10	\$10	14.29	180,000 TICKETS
\$15	\$15	150.00	PER POOL
\$25	\$25	300.00	756,000
\$50	\$50	300.00	1,058,400
\$75	\$75	3,600.00	100,800
\$100	\$100	12,857.14	50,400
Top Ticket: \$10,000	\$10,000	4,500.00	50,400
		3,780,000.00	4,200
			1,176
			3,360
			4

(13) The estimated overall odds of winning some prize in Instant Game Number 509 are 1 in 1.92. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(14) For reorders of Instant Game Number 509, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(15) By purchasing a HOLIDAY GIFT TAG SET lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

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

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 10-28-03.

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

EFFECTIVE DATE: October 28, 2003

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: RULE NO.:

Instant Game Number 510, 53ER03-57

HOLIDAY SURPRISE

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 510, “HOLIDAY SURPRISE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-57 Instant Game Number 510, HOLIDAY SURPRISE.

(1) Name of Game. Instant Game Number 510, “HOLIDAY SURPRISE.”

(2) Price. HOLIDAY SURPRISE lottery tickets sell for \$10.00 per ticket.

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

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

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE
<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN
<b>11</b> ELEVN	<b>12</b> THELV	<b>13</b> THRTN	<b>14</b> FORTN	<b>15</b> FIFTN
<b>16</b> SIXTN	<b>17</b> SVNTN	<b>18</b> EGHTN	<b>19</b> NINTN	<b>20</b> TWENTY
<b>21</b> THYONE	<b>22</b> THYTWO	<b>23</b> THYTHR	<b>24</b> THYFOR	<b>25</b> THYFIV
<b>26</b> THYSIX	<b>27</b> THYSVN	<b>28</b> THYEGT	<b>29</b> THYNIN	



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE
<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN
<b>11</b> ELEVN	<b>12</b> THELV	<b>13</b> THRTN	<b>14</b> FORTN	<b>15</b> FIFTN
<b>16</b> SIXTN	<b>17</b> SVNTN	<b>18</b> EGHTN	<b>19</b> NINTN	<b>20</b> TWENTY
<b>21</b> THYONE	<b>22</b> THYTWO	<b>23</b> THYTHR	<b>24</b> THYFOR	<b>25</b> THYFIV
<b>26</b> THYSIX	<b>27</b> THYSVN	<b>28</b> THYEGT	<b>29</b> THYNIN	

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

<b>\$5.00</b> FIVE	<b>\$10.00</b> TEN	<b>\$15.00</b> FIFTEEN	<b>\$20.00</b> TWENTY
<b>\$25.00</b> THY FIV	<b>\$40.00</b> FORTY	<b>\$50.00</b> FIFTY	
<b>\$100</b> ONE HUN	<b>\$200</b> TWO HUN	<b>\$250</b> THOHUNFTY	<b>\$500</b> FIVE HUN
<b>\$1,000</b> ONE THO	<b>\$10,000</b> TEN THO	<b>\$75,000</b> SVY FIV THO	

(7) The legends are as follows:

WINNING NUMBERS                      YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any of the numbers in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have

up to twenty sets of matching numbers. The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100, \$200, \$250, \$500, \$1,000, \$10,000, and \$75,000.



(b) A ticket having a "WIN \$100" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$100.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 510 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 25 POOLS OF 120,000 TICKETS PER POOL
\$5 x 2	\$10	15.00	200,000
\$10	\$10	30.00	100,000
\$5 x 3	\$15	30.00	100,000
\$15	\$15	15.00	200,000
\$5 x 4	\$20	30.00	100,000
\$10 x 2	\$20	30.00	100,000
\$5 x 8	\$40	171.43	17,500
(\$5 x 4) + (\$10 x 2)	\$40	300.00	10,000
\$10 x 4	\$40	240.00	12,500
\$15 + \$25	\$40	300.00	10,000
\$40	\$40	300.00	10,000
\$50	\$50	40.00	75,000
\$5 x 20	\$100	685.71	4,375
\$50 x 2	\$100	1,200.00	2,500
(\$10 x 6) + \$40	\$100	685.71	4,375
\$20 x 5	\$100	685.71	4,375
\$100 "AUTOWIN SYMBOL (TREE)"	\$100	320.00	9,375
\$10 X 20	\$200	4,800.00	625
(\$10 X 10) + (\$20 X 3) + \$40	\$200	6,000.00	500
\$100 x 2	\$200	12,000.00	250
(\$25 x 4) + (\$50 x 2)	\$200	12,000.00	250
\$200	\$200	12,000.00	250
\$25 x 20	\$500	20,000.00	150
\$50 x 10	\$500	20,000.00	150
(\$20 x 6) + (\$25 x 12) + (\$40 x 2)	\$500	15,000.00	200
\$250 x 2	\$500	60,000.00	50
\$500	\$500	40,000.00	75
\$50 x 20	\$1,000	30,000.00	100
\$100 x 10	\$1,000	40,000.00	75
\$200 x 5	\$1,000	40,000.00	75
\$500 x 2	\$1,000	60,000.00	50
\$1,000	\$1,000	120,000.00	25
\$500 x 20	\$10,000	71,428.57	42
\$10,000	\$10,000	300,000.00	10
\$75,000	\$75,000	428,571.43	7

(10) The estimated overall odds of winning some prize in Instant Game Number 510 are 1 in 3.12. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 510, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a HOLIDAY SURPRISE lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for HOLIDAY SURPRISE lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of

the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 10-28-03.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.  
EFFECTIVE DATE: October 28, 2003

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

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Bureau of Elevator Safety hereby gives notice that it has received a Petition for Variance filed by Carter Quina, AIA, of Quina Grundhoefer Royal Architects on behalf of First United Methodist Church of Pensacola. The Petition requests a variance from ASME 17.1, section 101.3b, 1996 edition, as adopted by subsection 61C-5.001(1), Florida Administrative Code. Petitioner specifically is requesting to use a ladder and hatch for roof access.

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety 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.

The Bureau of Elevator Safety hereby gives notice that it has issued an Order on the Petition for Variance filed by Pedro Padilla or Otis Elevator Company on behalf of Veranda Park Bldg. 1A (case VW 2003-068). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 101.1a(2), 101.1a(3), 101.6, 212.1 and 212.9a of A.S.M.E. 17.1, 1996 edition, as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology provides the same or greater safety.

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 issued an Order on the Petition for Variance filed by Pedro Padilla or Otis Elevator Company on behalf of Tarpon Landing Condominium (case VW 2003-069). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 101.1a(2), 101.1a(3), 101.6, 212.1 and 212.9a of A.S.M.E. 17.1, 1996 edition, as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology provides the same or greater safety.

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 issued an Order on the Petition for Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Expansion Renovation Naples Jail (case VW 2003-074). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 100.3a, and of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology, namely the KONE MonoSpace © elevator system provides the same or greater safety.

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 issued an Order on the Petition for Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Atlantis Condominium (case VW 2003-088). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 100.3a, and of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology, namely the KONE MonoSpace © elevator system provides the same or greater safety.

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 issued an Order on the Petition for Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Lasata at Grand Sandesitin (case VW 2003-089). The Bureau's Order, filed on October 23, 2003, granted the petition for variance



from Rules 100.3a, and of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology, namely the KONE MonoSpace © elevator system provides the same or greater safety.

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.

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The Bureau of Elevator Safety hereby gives notice that it has issued an Order on the Petition for Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Majestic Beach Towers Resort (case VW 2003-090). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 100.3a, and of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology, namely the KONE MonoSpace © elevator system provides the same or greater safety.

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.

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The Bureau of Elevator Safety hereby gives notice that it has issued an Order on the Petition for Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Sea Watch Condominium (case VW 2003-091). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 100.3a, and of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology, namely the KONE MonoSpace © elevator system provides the same or greater safety.

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.

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The Bureau of Elevator Safety hereby gives notice that it has issued an Order on the Petition for Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Laguna Riviera (case VW 2003-065). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 100.3a, and of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology, namely the KONE MonoSpace © elevator system provides the same or greater safety.

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.

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The Bureau of Elevator Safety hereby gives notice that it has issued an Order on the Petition for Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Morton Plant Hospital (case VW 2003-066). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 100.3a, and of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology, namely the KONE MonoSpace © elevator system provides the same or greater safety.

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.

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The Bureau of Elevator Safety hereby gives notice that it has issued an Order on the Petition for Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Crescent Corporate Center 3 (case VW 2003-073). The Bureau's Order, filed on October 23, 2003, granted the petition for variance from Rules 100.3a, and of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. A variance was granted because the Department determined that a the new technology, namely the KONE MonoSpace © elevator system provides the same or greater safety.

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.

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#### **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."

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#### **DEPARTMENT OF HEALTH**

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Juan M. Flores, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 17, of the April 25, 2003, Florida Administrative Weekly. The Surgical Care Committee considered the Petition at its meeting held on June 5, 2003.

The Board considered the Committee's recommendation at its meeting held on June 7, 2003, in Miami, Florida. The Board's Order, filed on June 24, 2003, denies the petition for waiver finding that the underlying purpose of the statute, as

implemented by Rule 64B8-9.009, F.A.C., has been not been met and that the Petitioner has not demonstrated a substantial hardship.

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

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Mark Eberbach, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 16, of the April 18, 2003, Florida Administrative Weekly. The Surgical Care Committee considered the Petition at its meeting held on July 31, 2003.

The Board of Medicine considered the Committee's recommendation at its meeting held on August 2, 2003, in Orlando, Florida. The Board's Order, filed on August 20, 2003, conditionally grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-9.009, F.A.C., has been met and that the Petitioner has demonstrated a substantial hardship. The Petitioner must submit to and successfully pass a Board-approved anesthesia competency assessment.

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

The Board of Medicine hereby gives notice that it has received a petition filed on August 19, 2003, by Syed S. Ahmed, M.D., seeking a variance from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE.

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

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

#### **FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that on October 22, 2003, Florida Housing Finance Corporation received a Petition for Waiver of Rule 67-48.021, F.A.C., Florida Administrative Code, from Villa Seton, Inc. ("Petition"). The Petition is seeking a variance from Rule 67-48.021, F.A.C., which provides a minimum and maximum debt service coverage.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.,

Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

## **Section VI Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration  
Financial Services Commission  
Department of Veterans' Affairs  
Department of Highway Safety and Motor Vehicles  
Department of Law Enforcement  
Department of Revenue  
Department of Education  
Administration Commission

Florida Land and Water Adjudicatory Commission  
Board of Trustees of the Internal Improvement Trust Fund  
Department of Environmental Protection

DATE AND TIME: November 25, 2003, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

PURPOSE: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter

636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters

within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

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## DEPARTMENT OF STATE

The Board of Directors of the **Northeast Florida Preservation, Inc.** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, November 17, 2003, 10:00 a.m.

**PLACE:** Florida Dept. of State, 48 King Street (Government House), 2nd Floor, St. Augustine, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Meeting.

A copy of the agenda may be obtained by writing: St. Augustine Regional Office, P. O. Box 4168, St. Augustine, FL 32085.

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

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request special assistance.

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**DEPARTMENT OF LEGAL AFFAIRS**

The **Florida Commission on the Status of Women** will hold a meeting to which all interested persons are invited.

DATES AND TIMES: Monday, November 17, 2003, 1:00 p.m. – 4:00 p.m.; Tuesday, November 18, 2003, 9:00 a.m. – 1:00 p.m.

PLACE: Florida Cabinet Meeting Room, LL-03, The Capitol, 400 S. Monroe St., Tallahassee, FL 32301

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

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **State Fair Authority** announces a meeting of the Finance Committee; Long Range Planning Committee; & the Marketing Committee

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

PLACE: Bob Thomas Equestrian Center – Horse Pavilion, Florida State Fairgrounds, P. O. Box 11766, Tampa, FL 33680

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss new and old business of the Finance, Long Range Planning and Marketing Committees

A copy of the agenda may be obtained by contacting: Ms. Frances Ayala, P. O. Box 11766, Tampa, FL 33680

Please note, if special accommodations-due to disability-need to be arranged for attendance to this meeting, please contact Ms. Frances Ayala, (813)627-4221, as soon as possible.

The Florida **State Fair Authority** announces a meeting of the Board.

DATE AND TIME: Tuesday, December 9, 2003, 1:00 p.m.

PLACE: Bob Thomas Equestrian Center – Horse Pavilion, Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Reports; Old and New Business; Fair Status Report.

A copy of the agenda may be obtained by contacting: Ms. Frances Ayala, Florida State Fairgrounds, P. O. Box 11766, Tampa, FL 33680

Please note, if special accommodations, due to disability, need to be arranged for attendance to this meeting, please contact Ms. Frances Ayala, (813)627-4221, as soon as possible.

**DEPARTMENT OF EDUCATION**

The public is invited to a meeting of the **Department of Education**, Advisory Council on Educational Facilities.

DATE AND TIME: Wednesday, November 19, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: University of South Florida, Marshall Center (Student Union), Ball Room, Second Floor, 4202 East Fowler Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the fourth 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.

NOTICE OF CORRECTION – Notice is hereby given that the meeting of the State **Board of Education** to be held on November 18, 2003, has changed the location from 325 West Gaines Street, Tallahassee, Florida to Chiles High School, 7200 Lawton Chiles Lane, Tallahassee, Florida.

Included on the agenda are proposed Rules 6A-1.09422, Florida Comprehensive Assessment Test Requirements; 6A-1.09981, Implementation of Florida’s System of School Improvement and Accountability and 6A-4.0021, Florida Teacher Certification Examination as advertised in the October 17, 2003, Florida Administrative Weekly.

The public is invited to a workshop of the State **Board of Education**.

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

PLACE: Chiles High School, School Auditorium, 7200 Lawton Chiles Lane, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida’s school choice programs.

A copy of the agenda may be obtained from the Commissioner of Education’s website at <http://www.fldoe.org>.

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 State **Board of Education**.

DATE AND TIME: November 18, 2003, 1:00 p.m.

PLACE: Chiles High School, School Auditorium, 7200 Lawton Chiles Lane, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes of meeting held October 21, 2003 and updates on various reports and status on education initiatives by the Commissioner and the Chairman. Action items will include: Amendment to Proposed Rule 6A-1.09422, Florida Comprehensive Assessment Test Requirements; Amendment to Proposed Rule 6A-1.09981, Implementation of Florida's System of School Improvement and Accountability; Amendment to Proposed Rule 6A-4.0021, Florida Teacher Certification Examination; Amendment to Proposed Rule 6E-1.003, Definition of Terms; Amendment to Proposed Rule 6E-2.002, Institutional Licensure; Proposed New Rule 6E-4.007, On Site Visits; Condemnation of Private Property Adjacent to the Campus of Florida A & M University; Approval of Critical Teacher Shortage Areas and Approval of 2004 Legislative Agenda.

A copy of the agenda may be obtained from the Commissioner of Education's website at <http://www.fldoe.org>.

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 State of Florida, **Department of Education**, Education Practices Commission will conduct a Teacher Hearing Panel to which all persons are invited.

DATE AND TIME: December 5, 2003, 9:00 a.m.

PLACE: The Adam's Mark Hotel – Orlando, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

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

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

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

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

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

DATE AND TIME: November 20, 2003, 10:00 a.m. – 3:00 p.m.

PLACE: 325 W. Gaines Street, Suite 1724, Tallahassee, Florida 32399

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

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

Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact Yvette Hargreaves, FCAAS, (850)245-0518, at least seven days in advance so that their needs can be accommodated.

The **Florida Atlantic University**, Florida's Art in State Buildings Program announces the following public meeting, to which all persons are invited:

COMMITTEE: Art Selection Committee

DATE AND TIME: November 20, 2003, 10:00 a.m. – 2:30 p.m.

PLACE: Florida Atlantic University, Florida's Art in State Buildings Program, Campus Operations Building #69, Room #110, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Finalist Presentation meeting to review three chosen Finalists for Florida's Art in State Buildings Program, BR-663/Student Support Services.

For more information or to obtain a copy of the agenda, please contact: Patty Singer, Program Administrator for Florida's Art in State Buildings Program, Florida Atlantic University, 777 Glades Road, AD Bldg., Rm 392, Boca Raton, Florida 33431, (561)297-1064, (561)297-2539.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will not be taped by the Florida's Art in State Buildings Program.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Patty Singer, (561)297-1064, (561)297-2539. If you are hearing or speech impaired, please contact the agency by calling TT: 1(800)955-8770.

#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces the following meetings to which all persons are invited. The meetings will be held at:

PLACE: The Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819, 1(800)366-9700

DATE AND TIME: November 17, 2003, 9:00 a.m.

Meeting of the Accessibility Advisory Council to consider the following applications for waiver from the accessibility code requirements: Executive Suites, 522 Silver Slipper Lane, Tallahassee; World Jet, Inc., 6101 N. W. 10th Terrace, Fort Lauderdale; Palm Beach Dramaworks Studio Theatre, 322 Banyan Boulevard, West Palm Beach; Myers and Fuller Law Offices, 2822 Remington Green, Tallahassee; Alpha Chi Omega Sorority House, 518 West Park Avenue, Tallahassee; Playpen South, 23101 South Dixie Highway, Miami; Pumphrey Building LLC, 553 East Tennessee Street, Tallahassee; Holiday Inn Indigo Lakes, 2620 International Speedway Boulevard, Daytona Beach; Sunsouth Place Renovations, 530 Meridian Avenue, Miami Beach; and Lido Spa – West Wing, 40 Island Avenue, Miami Beach.

DATE AND TIMES: November 17, 2003

8:30 a.m. – Meeting of the Electrical Technical Advisory Committee.

9:30 a.m. – Meeting of the Structural Technical Advisory Committee.

1:00 p.m. – Product Approval/Prototype Buildings/Manufactured Buildings POC

1:00 p.m. – Meeting of the Education Technical Advisory Committee.

1:00 p.m. – Additional Rule Development Workshop on Rule 9B-70, Building Code Training Program.

2:00 p.m. – Meeting of the Accessibility Advisory Committee.

DATE AND TIMES: November 18, 2003

8:30 a.m. – Meeting of the Plenary Session of the Florida Building Commission.

Review and approval of October 13 & 14, 2003 Meeting Minutes, review and update Commission Workplan; Chair's Discussion Issues and Recommendations.

9:00 a.m. – Rule Development Workshop on Equivalency of Test Standards and Recognition of International Code Council IAS/IES, Rules 9B-72.100 and 9B-72.180.

9:10 a.m. – Review and finalize Report on Private Plans Review and Inspections.

9:20 a.m. – Consideration of Building Code Issues and Recommendations to the 2004 Legislature.

Public Comment.

10:15 a.m. – Consideration of requests for waiver from accessibility code requirements: Executive Suites, 522 Silver Slipper Lane, Tallahassee; World Jet, Inc., 6101 N. W. 10th Terrace, Fort Lauderdale; Palm Beach Dramaworks Studio Theatre, 322 Banyan Boulevard, West Palm Beach; Myers and Fuller Law Offices, 2822 Remington Green, Tallahassee; Alpha Chi Omega Sorority House, 518 West Park Avenue, Tallahassee; Playpen South, 23101 South Dixie Highway, Miami; Pumphrey Building LLC, 553 East Tennessee Street, Tallahassee; Holiday Inn Indigo Lakes, 2620 International Speedway Boulevard, Daytona Beach; Sunsouth Place Renovations, 530 Meridian Avenue, Miami Beach; and Lido Spa – West Wing, 40 Island Avenue, Miami Beach.

10:45 a.m. – Legal Reports

10:55 a.m. – Consideration of Petitions for declaratory statement:

Second Hearing:

DCA03-DEC-173 by Timothy J. Orie of Superior Aluminum Installations

DCA03-DEC-179 by James E. Agen of Wilson Window Glass & Mirror

DCA03-DEC-247 by George Hegedus of Structural Systems, Inc.

DCA03-DEC-261 by Robert Andrews of Broward County

First Hearing:

DCA03-DEC-266 by Robert C. Duncan

DCA03-DEC-270 by Warren W. Schaefer of W.W. Schaefer Engineering

DCA03-DEC-273 by Michael E. Lynch of Cuhaci & Peterson, Architects

DCA03-DEC-277 by T. A. Krebs of T. A. Krebs Architect, Inc.

DCA03-DEC-296 by Michael Madden of Madden Manufacturing

DCA03-DEC-297 by Kenneth R. Pfeiffer of Kenneth R. Pfeiffer PE

DCA03-DEC-298 by Paul S. Roth of Roll-A-Way Protective Pool Fence

DCA03-DEC-300 by Barry B. Ansbacher of Ansbacher and McKeel

11:10 a.m. – Consideration of Applications for Product and Entity Approval

11:25 a.m. – Consideration of Committee Reports and Recommendations: Accessibility TAC Report; Education TAC Report; Electrical TAC Report; Structural TAC Report; and Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee Report.

11:55 a.m. – Receive public comment.

A copy of the Committee and Commission meeting agendas and other documents may be obtained by sending a request in writing: Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436 or looking on the web site at [www.floridabuilding.org](http://www.floridabuilding.org).

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Barbara Bryant at the Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs, Division of Emergency Management** announces a two-day meeting of the State Hazard Mitigation Plan Advisory Team Committee (SHMPAT).

DATES AND TIMES: Thursday, November 20, 2003, 1:00 p.m. – 4:00 p.m., Friday, November 21, 2003, 9:00 a.m. – 4:00 p.m.

PLACE: Randall Kelly Training Center, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: A facilitated session for state and federal agencies, non-profit organizations and interested groups that have a stake in:

1. Establishing working groups to further goals and objectives of the state mitigation strategy.
2. Review state plan monitoring and update process.
3. Contributing to formation of state hazard mitigation.
4. Development of draft by-laws for creation of State Hazard Mitigation Council.

Meeting Agenda for forthcoming and previous meetings can be found at: <http://www.dca.state.fl.us/brm/State-Mitigation-Strategy/State-Mitigation-Strategy.htm>

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact Leroy Thompson, Community Program Administrator, Division of Emergency Management, Bureau of Recovery and Mitigation, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9816 or Suncom 293-9816, at least seven days before the date of the meeting. If you are hearing or speech impaired, please contact the Department of Community

Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

## DEPARTMENT OF LAW ENFORCEMENT

The **Department of Law Enforcement, Medical Examiners Commission** announces a Medical Examiners Commission Meeting.

DATE AND TIME: Wednesday, December 10, 2003, 1:30 p.m.

PLACE: District 6, Medical Examiner's Office, 10900 Ulmerton Road, Largo, Florida 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Medical Examiners Commission Office, (850)410-8600, at least five (5) working days prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person is responsible for ensuring 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 or a copy of the agenda may be obtained by contacting: Mrs. Victoria G. Marsey, Program & Policy Administrator, Criminal Justice Professionalism Services, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

## DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 2, announces public hearings (Tentative Work Program for Fiscal Years beginning July 1, 2004, through June 30, 2009) to which all persons are invited to attend and be heard.

Assistance for disabled persons may be arranged by contacting Mr. Joel Glenn, P.E, District Planning and Environmental Manager, Lake City District Office, 1(800)749-2967, at least ten (10) days in advance of the Public Hearings.

1. Jacksonville Hearing: Specific notice is provided to the First Coast Metropolitan Planning Organization (FCMPO) and the County Commissions for Putnam, St Johns, Nassau, Baker, Clay, and Duval counties serving as MPO for their respective counties.

DATE AND TIME: Monday, December 1, 2003, 5:30 p.m.

PLACE: Jacksonville Urban Office-Training Facility, 2250 Irene Street, Jacksonville, Florida

2. Live Oak Hearing: Specific notice is provided to the County Commissions for Taylor, Lafayette, Madison, Columbia, Hamilton, and Suwannee counties serving as MPO for their respective counties.

DATE AND TIME: Tuesday, December 2, 2003, 5:30 p.m.  
 PLACE: Suwannee River Water Management District, Board Room., 9225 County Road 49, Live Oak, Florida

3. Lake City Hearing: Specific notice is provided to the Gainesville Metropolitan Transportation Planning Organization (MTPO) and the County Commissions for Dixie, Levy, Gilchrist, Bradford, Alachua, and Union counties serving as MPO for their respective counties.

DATE AND TIME: Thursday, December 4, 2003, 5:30 p.m.  
 PLACE: FDOT Lake City District Office, Madison Room, 1109 South Marion Ave., Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, to consider the Department's Tentative Work Program for the period 2004-05 through 2008-09, and to consider the necessity of making any changes to the Program.

The proposed improvements have been developed in accordance with the Civil Rights Act of 1964, and the Civil Rights Act of 1968. Under Title VI and Title VIII of the United States Civil Rights Act any person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, religion, sex, age, national origin, disability or familial status may file a written complaint to the Florida Department of Transportation's Equal Opportunity Office in Tallahassee or contact the District's Title VI and Title VIII Coordinator.

Central Office: Florida Department of Transportation, Equal Opportunity Office, 605 Suwannee Street, MS 65, Tallahassee, Florida 32399-0450

District Office: Florida Department of Transportation, District 2, District Contract Compliance Office, 2250 Irene Street, M.S. 2809, Jacksonville, Florida 32276-6669

Written comments from the Commissions and other interested parties will be received by the Department at the public hearings and within ten days thereafter.

Comments should be addressed to: Aage G. Schroder III, P.E., District Secretary, Florida Department of Transportation, District 2, 1109 South Marion Ave., Lake City, FL 32025-5874, 1(800)749-2967.

The Florida **Department of Transportation**, District Seven invites you to attend and participate in the Five Year Tentative Work Program Public Hearings for Fiscal Years July 1, 2004 through June 30, 2009. Your input is needed at the public hearings. The Tentative Work Program covers the next five years of preliminary engineering, right of way acquisition, construction, and public transportation projects including Florida Turnpike Enterprise projects for Citrus, Hernando, Hillsborough, Pasco, and Pinellas Counties. The public hearings will be held at the following locations:

DATE AND TIME: Tuesday, December 2, 2003, 5:00 p.m. – 7:00 p.m.

PLACE: Florida Department of Transportation, District Seven Auditorium, 11201 N. McKinley Drive, Tampa, Florida 33612

DATE AND TIME: Thursday, December 4, 2003, 5:00 p.m. – 7:00 p.m.

PLACE: Hernando County Government Center, Board of County Commission Chambers, 20 N. Main Street, Brooksville, Florida 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public hearings are being conducted pursuant to Chapter 120 and Section 339.135(4)(d), Florida Statutes, and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Anyone needing special accommodations under the Americans with Disabilities Act of 1990, should contact Ms. Lee Royal, Community Liaison Administrator, (813)975-6427 or 1(800)226-7220, at least 10 working days in advance of the public hearings.

The Department at the public hearings will receive verbal and written comments from organizations and the general public. In addition, written comments must be postmarked by December 16, 2003, to become part of the official public hearing record. Written comments should be addressed to: Kenneth A. Hartmann, P.E., District Secretary, Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, MS 7-100, Tampa, Florida 33612.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

The Florida At Risk Driver Council Subcommittees of the Florida **Department of Highway Safety and Motor Vehicles** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: Thursday, November 13, 2003, 10:00 a.m.

PLACE: Call (850)487-0867 for information on participation

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

Pursuant to the provisions for 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: Selma Sauls, (850)487-0867. If you are hearing or speech impaired, please contact the department by calling (850)487-0867 or email: sauls.selma@hsmv.state.fl.us.

The Florida **Department of Highway Safety and Motor Vehicles** announces a meeting of the Florida At Risk Driver Council to which interested persons are invited:

DATE AND TIME: Thursday, November 20, 2003, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Tallahassee, Florida



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

To obtain a copy of the agenda, please contact: Selma Sauls, 2900 Apalachee Parkway, MS 80, Tallahassee, Florida 32399-0570, (850)487-0867, email: sauls.selma@hsmv.state.fl.us

Pursuant to the provisions for 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: Selma Sauls, (850)487-0867. If you are hearing or speech impaired, please contact the department by calling (850)487-0867.

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### 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."

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### DEPARTMENT OF CITRUS

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

DATE AND TIME: Wednesday, November 19, 2003, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balance scorecards, licensing, rulemaking and other matters that are addressed during monthly meetings of the Commission. The Commission may also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Tampa Juice, et. al. & Graves Brothers, et. al. vs. FDOC and The Lakeland Ledger Publishing Company, Publisher of The Ledger vs. FDOC. The parties attending the closed session will be John R. Alexander, Patrick Carlton, Tristan G. Chapman, W. Cody Estes, Sr., Harry H. Falk, Christopher W. Gargano, William E. Kemper, Anina C. McSweeney, W. Lindsay Raley, Jr., Daniel R. Richey, Ray Smith, Andrew R. Taylor, Bob Crawford, Hank B. Campbell, Esq., Monterey Campbell, Esq. and Kenneth O. Keck, Esq.

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.

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### FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, November 19, 2003, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

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### PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** will consider at its December 2, 2003, Agenda Conference, Docket No. 031000-EI, Application of Florida Power and Light Company for authority to issue and sell securities pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, to issue and sell, and/or exchange any combination of the long-term debt and equity securities and/or to assume liabilities or obligations as guarantor, endorser, or surety in an aggregate amount not to exceed \$4.5 billion during calendar year 2004. In addition, the Company seeks permission to issue and sell short-term securities during the calendar years 2004 and 2005 in an amount or amounts such that the aggregate principal amount of short-term securities outstanding at the time of any such sale will not exceed 25% of the Company's gross revenues during the preceding twelve months of operation.

DATE AND TIME: Tuesday, December 2, 2003, 9:30 a.m. (although the time at which this item will be heard cannot be determined at this time)

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No. 031000-EI.

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

For additional information, please contact: Katherine Fleming, Office of the General Counsel, (850)413-6218.

The Florida **Public Service Commission** will consider at its December 2, 2003, Agenda Conference, Docket No. 030987-EI, Application of Progress Energy Florida, Inc., formerly Florida Power Corporation (Company), for authority to issue and sell securities pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to issue, sell, or otherwise incur during 2004 any combination of additional equity securities and debt securities and obligations, consisting of (i) up to \$800 million outstanding at any time of short-term debt, including commercial paper, bank loans or loans from affiliates, which amount shall be in addition to and in excess of the amount the Company is authorized to issue pursuant to Section 366.04, Florida Statutes, which permits the Company to issue short-term securities aggregating to more than five percent of the par value of the Company's other outstanding securities, and (ii) \$1 billion of any combination of equity securities and long-term debt securities and obligations.

DATE AND TIME: Tuesday, December 2, 2003, 9:30 a.m. (although the time at which this item will be heard cannot be determined at this time)

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action on Docket No. 030987-EI.

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

For additional information, please contact: Katherine Fleming, Office of the General Counsel, (850)413-6218.

**REGIONAL PLANNING COUNCILS**

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: North Central Florida (District 3) Local Emergency Planning Committee

DATE AND TIME: November 21, 2003, 9:30 a.m.

PLACE: Progress Corporate Park, 13709 Progress Boulevard, Alachua, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Local Emergency Planning Committee.

MEETING: North Central Florida Regional Hazardous Materials Response Team Policy Board

DATE AND TIME: November 21, 2003, 1:15 p.m.

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Hazardous Materials Response Team.

Any persons deciding to appeal any decision with respect to any matter considered at the meetings may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 NW 67 Place, Suite A, Gainesville, FL 32653.

Persons with disabilities who need assistance may contact us, (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Northeast Florida Regional Planning Council**, Ad Hoc Committee on Policies, Priorities and Procedures announces the following public meeting to which all persons are invited:

DATE AND TIME: Wednesday, November 19, 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 District Six, **Local Emergency Planning Committee (LEPC)** for Hazardous Materials at the Florida Space Authority announces a public meeting to which all persons are invited as follows:

DATE AND TIME: Friday, November 14, 2003, 10:00 a.m. (there will be a meeting of the Training Committee, starting at 9:00 a.m.)

PLACE: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003, call (321)730-5301, Ext. 1104, for directions.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Business Meeting of the District Six, Local Emergency Planning Committee (LEPC) for Hazardous Materials.

In the event that a quorum is not present, a workshop will be convened to discuss the business of the Committee.

A copy of the agenda and more information may be obtained by writing: Ms. Teri Hunalp, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, FL 32751, (407)623-1075, Ext. 335.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 19, 2003, 9:00 a.m. (Finance Committee) and 9:30 a.m. (Executive Committee)

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Executive and Finance Committees.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 19, 2003, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, FL 32751, (Please call (407)623-1075, Ext. 327, to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the full agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751.

The **Central Florida Regional Planning Council** announces a public meeting of the Local Emergency Planning Committee (LEPC), and its Membership Sub-Committee, Spill Review Sub-Committee, Public Relations Sub-Committee and Exercise Sub-Committee, to which all persons are invited.

DATE AND TIME: Wednesday, November 12, 2003, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Conference Room, 170 Century Boulevard, Bartow, Florida 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Bi-Monthly Meeting of the LEPC, and Special Sub-Committees.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Central Florida Regional Planning Council** will hold its public meeting and the Council's Executive Committee meeting, to which all persons are invited:

DATE AND TIME: Wednesday, November 12, 2003, 9:30 a.m.

PLACE: Highlands County Health Department Conference Room, 7205 South George Blvd., Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting of the Council and the Executive Committee.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Local Emergency Planning Committee, (LEPC) District VIII** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 19, 2003, 10:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd. #219, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District VIII LEPC and discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA).

A copy of the agenda may be obtained by contacting: Bill Lofgren, LEPC Coordinator, Tampa Bay Regional Planning Council, 9455 Koger Blvd, Suite 219, St. Petersburg, FL 33702, (727)570-5151, Ext 248.

Please note that if a person decides to appeal any decision made by the LEPC with respect to any matter considered at the above cited meeting, he/she will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact the Tampa Bay Regional Planning Council, (727)570-5151, Ext. 217 within three working days of the meeting.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, December 8, 2003, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, December 8, 2003, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, December 22, 2003, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee

PLACE: 9455 Koger Blvd., Suite 219, St. Petersburg, FL 33702 (Please call to confirm date, time and location)

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a

verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: November 20, 2003, 9:00 a.m.

PLACE: Harborside Event Center, Section D (upstairs meeting room), 1375 Monroe Street, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

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 will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: November 20, 2003, 12:00 Noon

PLACE: Harborside Convention Center, 1375 Monroe Street, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFRPC 30th Anniversary Celebration Luncheon.

A copy of the proposed agenda may be obtained by writing: Mr. Ken Heatherington, Planning Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

The **Charlotte Harbor National Estuary Program** announces a scheduled Policy Committee meeting to which all persons are invited:

DATE AND TIME: Monday, November 17, 2003, 9:30 a.m.

PLACE: South Auditorium, Polk County Extension Service/IFAS, Bartow, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the CHNEP Policy Committee.

Please note that if a person decides to appeal any decision made by the Charlotte Harbor National Estuary Program Policy Committee with respect to any matter considered at the above cited workshop, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by writing: CHNEP, 4980 Bayline Dr., N. Ft. Myers, FL 33917 or by calling Ms. Darcy Bowen, (239)995-1777, Ext. 214.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations due to disability or physical impairment should contact Ms. Darcy Bowen, (239)955-1777, Ext. 214, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. David Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

#### **WATER MANAGEMENT DISTRICTS**

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited:

DATE AND TIME: November 20, 2003, 9:00 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administration, Budget and Finance Committee – to consider insurance issues.

DATE AND TIME: November 20, 2003, 9:30 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Workshop – award of Florida Forever funds.

DATE AND TIME: November 20, 2003, 10:30 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee – to discuss land acquisition matters.

DATE AND TIME: November 20, 2003, 11:00 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

DATE AND TIME: November 20, 2003, 11:15 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing – to consider Regulatory matters.

DATE AND TIME: November 20, 2003, 11:30 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing – to consider Land Acquisition matters.

DATE AND TIME: December 1, 2003, 9:00 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Workshop on Water Supply.

DATE AND TIME: December 1, 2003, 10:00 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board meeting – to consider District business.

PLACE: District headquarters, 10 miles west of Tallahassee on U.S. Highway 90, Tallahassee, FL

A copy of the agendas may be obtained by contacting: Carolyn Wise, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at [www.state.fl.us/nwfwmd](http://www.state.fl.us/nwfwmd)).

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

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

GOVERNING/BASIN BOARDS JOINT WORKSHOP

DATE AND TIME: Friday, November 14, 2003, 9:00 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual planning workshop.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING (Note: This is a change of meeting location from what was originally published in the year-long calendar.)

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

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Committee meetings, Board meeting and public hearing.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, November 19, 2003, 9:00 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL (Note: This is a change of meeting location from what was originally published in the year-long calendar.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces the following public hearing to which all interested persons are invited:

DATES AND TIMES: November 18, 2003, 9:00 a.m. and may be continued November 19, 2003, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands eligible to be considered for funding from the Florida Forever Trust Fund which lands are further described as follows:

Consideration of Florida Forever Land Acquisition Plan for 2004

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the above address.

The District does not discriminate based on disability status. Anyone requiring reasonable accommodations under the ADA should call 1(800)423-1476 (Florida only), Extension 4452, Fax (352)754-6877, TDD ONLY 1(800)231-6103.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: November 14, 2003, 9:00 a.m.

PLACE: The South Florida Water Management District, Florida B-1 Auditorium, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida, Meet Me Number (850)488-5776 or Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee, created pursuant to Section 373.41492, Florida Statutes, to discuss and approve the discuss committee activities for 2003 and other related committee business.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Ruth Clements, Land Acquisition Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 7210, West Palm Beach, FL 33406, (561)682-6271.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, November 18, 2003, 9:00 a.m. – 4:00 p.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: This workshop is to provide an overview of regional conditions and system operations for the prior 6-month period, and projected conditions and operations of Lake Okeechobee for the next 6-month period. All interested parties are invited to attend.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Susan Gray, Ph.D., Lake Okeechobee Division, Watershed Management Department, (561)682-6919, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4930 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: November 19, 2003, 10:00 a.m. – 12:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Issues Workshop on The Kissimmee Basin Regional Water Supply Plan Update.

PLACE: Environmental Learning Center, Disney Wilderness Preserve, 700 Scrub Jay Trail, Kissimmee, Florida 34759

Information regarding the existing Kissimmee Basin Water Supply Plan can be found at [www.sfwmd.gov/org/wsd/wsp/](http://www.sfwmd.gov/org/wsd/wsp/).

A copy of the agenda may be obtained at the District Website seven (7) prior to the meeting at (<http://www.sfwmd.gov/gover/wrac/agenda.html>) or by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, Florida 33416-4680. Persons with disabilities who need assistance may contact Paula Moree, Deputy District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact: Chris Sweazy, Kissimmee Service Center, (407)858-6100, Ext. 3822, e-mail: [csweazy@sfwmd.gov](mailto:csweazy@sfwmd.gov) or Paula Moree, District Clerk's Office, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6447, e-mail: [pmoree@sfwmd.gov](mailto:pmoree@sfwmd.gov).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIME: Every Monday beginning on January 5, 12, 26; February 2, 9, 23; March 1, 8, 15, 22, 29; April 5, 12, 19, 26; May 3, 10, 17, 24; June 7, 14, 21, 28; July 12, 19, 26; August 2, 9, 16, 23, 30; September 13, 20, 27; October 4, 11, 18, 25; November 1, 8, 15, 22, 29; December 6, 13, 20, 27, 10:00 a.m. (Call prior to meeting date to confirm that meeting will be held on that date (561)682-6447)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Issues Workshop Meeting.

PLACE: South Florida Water Management, B1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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.

## FLORIDA SPACE AUTHORITY

The **Florida Space Research Institute**, Board of Directors "Core-Board" members will hold a public meeting to which all interested persons are invited.

DATE AND TIME: November 13, 2003, 11:00 a.m. – 12:00 Noon

PLACE: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting will be to consider the addition of new members to the Board of Directors, as authorized under Chapter 331.368, F.S. The meeting will include teleconference participation by multiple members.

Contact Melissa Glover, (321)452-2653, for information or an agenda for the meeting.

The **Florida Space Authority** announces a Board of Supervisors meeting to which the public is invited.

DATE AND TIME: November 19, 2003, 11:30 a.m. – 2:00 p.m. (EST)

PLACE: Florida Space Authority – Resource Center, 100 Spaceport Way, Cape Canaveral, Florida 32920

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will discuss the status of Authority programs in the areas of business development, space transportation and planning, construction and facilities, policy coordination and any other administrative issues that may need to be considered relating to the business of the Authority and other State agencies.

For more information, contact: Glenn Vera, (321)730-5301, Ext. 1103.

To obtain a copy of the agenda, write: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Florida Space Authority at least seven (7) days prior to the meeting.

Please note that if a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at the above cited 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 proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

## DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** announces the Guardianship Task Force's third public meeting to which all persons are invited.

DATE AND TIME: December 4, 2003, 9:30 a.m. – 5:00 p.m.

PLACE: Florida Supreme Court Building, 501 South Duval Street, Judicial Meeting Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Guardianship Task Force will be addressing issues of guardianship and incapacity as directed by Senate Bill 2568.

The public meeting will also include time to receive comments from the public on guardianship and incapacity. Public testimony is scheduled to begin at 10:00 a.m.

Written public testimony may be mailed to: Guardianship Task Force, Statewide Public Guardianship Office, 4040 Esplanade Way, Suite 360-I, Tallahassee, Florida 32399-7000, Faxed (850)414-2384 or emailed Sean Griffith, griffithsp@elderaffairs.org.

Any person requiring special accommodations to participate in this meeting is asked to advise the Statewide Public Guardianship Office at least 48 hours before the meeting by contacting: Mr. Sean Griffith, (850)414-2381. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Pharmaceutical and Therapeutics Committee to which all interested parties are invited.

DATE AND TIME: Wednesday, December 3, 2003, 10:30 a.m. - 3:00 p.m.

PLACE: Marriott Hotel, Tampa International Airport, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Make recommendations for drugs to be included on the Preferred Drug List.

Any attendee requiring special accommodation because of a disability or physical impairment should contact the Marriott, (813)879-5151, at least five days prior to the meeting.

Members of the public who wish to testify at this meeting must call Julie Davis, (850)487-4441, by November 26, 2003.

The number of speakers will be limited and will be accommodated in order of notification to Ms. Davis. The procedures for speakers to follow are available on the Agency's website at [www.fdhc.state.fl.us](http://www.fdhc.state.fl.us).

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#### DEPARTMENT OF MANAGEMENT SERVICES

The **Florida Partnership for School Readiness** announces the following meeting to which all interested parties are invited:

FLORIDA PARTNERSHIP FOR SCHOOL READINESS BOARD MEETING

DATE AND TIME: Friday, November 14, 2003, 9:30 a.m. – 3:30 p.m. or until completion of business

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Board business.

A final agenda will be available on November 5, 2003, and can be obtained by downloading it from the Partnership website at [www.schoolreadiness.org](http://www.schoolreadiness.org) or by contacting the Partnership office, (850)922-4200.

PLACE: The Double Tree Hotel, Tampa Westshore Airport, 4500 West Cypress Street, Tampa, FL 33607 (Overnight accommodations are available at the Double Tree Hotel, Tampa Westshore Airport. Reservations can be made by calling (813)879-4800. When making reservations, please request the Florida Partnership for School Readiness room block. The cutoff date is November 1, 2003, to receive the Partnership rate of \$99, includes full breakfast)

For further information, contact: Ginger Tate, (850)922-4200 or [ginger.tate@schoolreadiness.org](mailto:ginger.tate@schoolreadiness.org).

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State of Florida, **State Technology Office** announces a Chief Information Officer (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, November 17, 2003, 10:00 a.m. – 12:00 Noon

PLACE: Conference Room 124, Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Elaine Womble, [Elaine.womble@myflorida.com](mailto:Elaine.womble@myflorida.com) or call (850)922-2680.

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The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: November 13-14, 2003, 8:30 a.m.

PLACE: Embassy Suites Hotel, Tampa Airport/Westshore, 555 N. Westshore Boulevard, Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, Florida 32399-0950 or by (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call using the Florida Relay Service, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

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The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 13, 2003, 9:00 a.m.

PLACE: Commission offices, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301 (The meet-me telephonic number is (850)488-3676 or Suncom 278-3676)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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: November 14, 2003, 10:00 a.m. (EST)

PLACE: Via telephone conference – (850)410-0962 or Suncom 210-0962

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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Auctioneers** announces the following general business meeting to which all persons are invited.

DATE AND TIME: December 5, 2003, 10:00 a.m. (EST)

PLACE: Ramada Plaza Hotel and Inn Gateway, 7470 Highway 192 West, Kissimmee, FL 34747, (407)396-4400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing: The Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399 or calling (850)922-6096.

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

forty-eight (48) hours before the meeting by contacting (850)922-6096. If you are hearing and speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting 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.

The **Florida Electrical Contractors' Licensing Board** announces an Official Emergency Board Meeting via telephone conference call to which all interested persons are invited.

DATE AND TIME: October 28, 2003, 1:30 p.m. or soon thereafter

PLACE: Meet Me Number (850)410-0962 or Suncom 210-0962

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting will be to reconsider the application of Jesse T. Hall, for Alarm System Contractor I examination. The application was initially reviewed by the ECLB at the September 18-19, 2003 meeting of the Board held at the Colony Hotel, 155 Hammon Avenue, Palm Beach, FL 34480. This meeting is necessary to meet the timeframes established by Section 120.60(1), Florida Statutes.

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

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: Florida Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence, Electrical Contractors' Licensing Board at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence 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 **Electrical Contractors' Licensing Board** (Board) announces Official Board Meetings to which all interested persons are invited.

DATE AND TIME: November 20, 2003, 8:30 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (portions closed to the public)

DATE AND TIME: November 20, 2003, 10:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

DATE AND TIME: November 21, 2003, 9:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

The Board will conduct a general business and also consider a petition filed on August 8, 2003, from Robert E. Marshall seeking a waiver or variance of Rule 61G6-9.001, Florida Administrative Code, with respect to the continuing education requirements for renewal of an inactive license; and a petition filed on September 5, 2003, by Jack Alfandary, Esquire on behalf of Aerwav Integration Services, Inc., seeking a waiver or variance of subsection 61G6-5.006(1), Florida Administrative Code, with respect to the requirement to submit a full transfer application for a name change when together with a fictitious name.

PLACE: The Department of Business and Professional Regulation, Northwood Centre Board Conference Room, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)922-5012

A copy of the agenda may be obtained by writing: Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771 or via the Internet by visiting [www.myflorida.com](http://www.myflorida.com) > Find an Agency > Business and Professional Regulation > Professions and Professional Boards > Electrical Contractors' Licensing Board > Board Meeting Minutes, Agendas and Executive Summaries.

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: Florida Electrical Contractors' Licensing Board, 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 Gregory Spence at the Florida Electrical Contractors' Licensing Board at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a public meeting of the Board Operations Committee to which all persons are invited:

DATE AND TIME: Friday, November 14, 2003, 11:00 a.m.

PLACE: Plantation Inn & Golf Resort, 9301 West Fort Island Trail, Crystal River, Florida 33429

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on FEMC internal operations.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Tuesday, December 2, 2003, 8:30 a.m. – conclusion of meeting

PLACE: Wingate Hotel, 2516 W. Lakeshore Drive, Tallahassee, Florida 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

The Florida **Board of Veterinary Medicine** announces the following meeting to which all parties are invited to attend.

DATE AND TIME: December 2, 2003, 8:00 a.m.

PLACE: Casa Marina Resort, 1500 Reynolds Street, Key West, FL 33040, (305)296-3535

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Veterinary Medicine, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for

such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-7154, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy** announces the following public meetings to which all person are invited:

DATES AND TIMES: Thursday, December 4, 2003, 9:00 a.m. – Probable Cause Panel; Thursday, December 4, 2003, 1:00 p.m. – Budget Work Shop; Friday, August 22, 2003, 9:00 a.m. – Meeting of the Board

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The probable cause panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to discuss budget issues. The Board will meet to consider enforcement proceedings including consideration of investigating officer's reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public and a copy of the Board agenda may be obtained by writing: John W. Johnson, Division Director, Division of Certified Public Accounting, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607.

Note: Portions of the Probable Cause Panel meeting may be closed to the public. If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting: John W. Johnson, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Florida **Mobile Home Relocation Corporation** announces a meeting of its Board of Directors to consider mobile home applications for compensation and relocation due to eviction for change of land use.

DATE AND TIME: Monday, November 10, 2003, 10:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Road, Clearwater, FL 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to eviction for change in land use, and such other business as may come before the Board. A schedule of the next meeting will also be determined.

Additional information can be obtained by contacting: Connie Prince, Executive Director, Florida Mobile Home Relocation Corporation, P.O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

#### 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."

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: November 12, 2003, 1:00 p.m. – 3:00 p.m.

PLACE: 518 Palm Ave., Titusville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Board of Directors of the St. Johns River Alliance.

A copy of the agenda can be obtained by calling Anne Keller, (904)396-9141 or email: [keller.anne@epa.gov](mailto:keller.anne@epa.gov).

Other sources for the agenda are: Jim Maher, FDEP, Northeast Office, (904)807-3352; Linda Burnette, St. Johns River Water Management District, (386)329-4500.

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 St. Johns River Alliance at least 48 hours before the public meeting by contacting Barbara Meyer.

#### DEPARTMENT OF HEALTH

The **Department of Health, Board of Dentistry** will hold a Probable Cause Panel meeting where reconsiderations will be heard:

DATE AND TIME: December 12, 2003, 8:30 a.m. or shortly thereafter

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399, (850)245-4474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records include 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 Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The Florida **Board of Medicine**, Rules/Legislative Committee Meeting announces a telephone conference call to be held via meet me number.

DATE AND TIME: Tuesday, November 17, 2003, 12:00 Noon

PLACE: Contact Florida Board of Medicine, (850)245-4131, for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present or an audio record from the Board Director.

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The Probable Cause Panel of the **Board of Osteopathic Medicine** announces a meeting:

DATE AND TIME: Friday, November 21, 2003, 9:00 a.m. or soon thereafter

PLACE: Embassy Suites, 1100 S. E. 17th St., Ft Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

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A copy of the public portion of the agenda may be obtained by writing: Richard Shoop, Senior Attorney, Department of Health, Prosecution Services, 4052 Bald Cypress Way, Bin #C65, Tallahassee, FL 32399.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Practitioner Regulation Section may be contacted at 4052 Bald Cypress Way, Bin #C-65, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

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NOTICE OF CANCELLATION – The **Department of Health, Board of Pharmacy** has cancelled the Tripartite Committee Meeting previously scheduled for November 13, 2003, 9:00 a.m. – 4:00 p.m.

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The **Department of Health, Board of Physical Therapy Practice** announces a meeting to which all persons are invited:

DATES AND TIMES: December 11, 2003, 6:30 p.m. or soon thereafter; December 12, 2003, 8:15 a.m. or soon thereafter

PLACE: Homewood Suites, Tallahassee, Florida and 4042 Bald Cypress Way, Room 301, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting/Rules Workshop.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Tallahassee, FL 32399-3255 or (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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#### **FLORIDA HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend.

DATE AND TIME: Friday, December 5, 2003, 20:00 p.m.

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PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of responses submitted for Florida Housing Finance Corporation's Request for Qualifications #2003/04 for Arbitrage Rebate services.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

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#### DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: December 16, 2003, 9:00 a.m.

PLACE: Florida School for the Deaf and Blind, Building 1, Room 120, Center for Professional Building, 207 San Marco Ave, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Fire Safety Board.

A copy of the agenda may be obtained by writing: Nancy Ray, Department of Financial Services, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact the person listed above no later than five working days prior to the meeting.

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The Florida **Board of Funeral and Cemetery Services** announces a public Board Meeting and all persons are invited to attend.

DATE AND TIME: December 11, 2003, 10:00 a.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

PLACE: Department of Transportation Auditorium, 605 Suwannee Street, Tallahassee, FL

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

To obtain further information, contact: LaTonya Bryant, Administrative Assistant I, Division of Consumer Services, 200 East Gaines St., Tallahassee, FL 32399-0361, (850)413-3039.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise LaTonya Bryant, (850)413-3039, at least 48 hours before the meeting. If you are hearing or speech impaired, contact LaTonya Bryant via the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), for assistance.

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#### ENTERPRISE FLORIDA

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Rural Working Group

DATE AND TIME: Tuesday, November 11, 2003, 11:00 a.m. – 12:30 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Urban Working Group

DATE AND TIME: Tuesday, November 11, 2003 11:00 a.m. – 12:30 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing

or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Marketing Working Group

DATE AND TIME: Tuesday, November 11, 2003, 1:00 p.m. – 2:30 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Competitiveness Working Group

DATE AND TIME: Tuesday, November 11, 2003, 3:00 p.m. – 5:00 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Partner Council

DATE AND TIME: Wednesday, November 12, 2003, 8:00 a.m. – 12:00 Noon

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Florida International Business Council

DATE AND TIME: Thursday, November 12, 2003, 2:00 p.m. – 3:00 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Small Business Council

DATE AND TIME: Wednesday, November 12, 2003, 2:00 p.m. – 3:30 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Defense and Space Advisory Council

DATE AND TIME: Wednesday, November 12, 2003, 2:00 p.m. – 4:30 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Florida TEC Leadership Council

DATE AND TIME: Wednesday, November 12, 2003, 3:30 p.m. – 5:00 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Legislative Committee

DATE AND TIME: Wednesday, November 12, 2003, 4:00 p.m. – 5:00 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Enterprise Florida**, Inc. announces a public meeting to which all persons are invited:

MEETING: Enterprise Florida, Inc., Board of Directors

DATE AND TIME: Thursday, November 13, 2003, 10:00 a.m. – 1:00 p.m.

PLACE: Contemporary Report – Walt Disney World, 4600 North World Drive, Lake Buena Vista, FL 32830-1000, (407)824-3869

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Ellen Stalnaker, (407)316-4726, at least one (1) day prior to the activity. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

#### FLORIDA COALITION FOR DISABILITY RIGHTS

The **Florida Coalition for Disability Rights** (FCDR) announces the following public meeting to be conducted via telephone conference call:

DATE AND TIME: Wednesday, November 12, 2003, 3:00 p.m. – 4:00 p.m. (EST)

PLACE: 121552 Belcher Rd., S., Largo, FL 33773, Call in number (866)282-9222, Pass 906025

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Coalition.

Please note that 3 members of the Coalition also serve as members of the Florida Independent Living Council and that business relating to the Council may be discussed at this public meeting.

#### FLORIDA ALZHEIMER'S CENTER AND RESEARCH INSTITUTE

The **Florida Alzheimer's Center and Research Institute** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Wednesday, November 12, 2003, 4:00 p.m.

PLACE: Morton Plant Mease Hospital, 300 Pinellas Street, Clearwater, Florida 33756

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and consider matters relating to the organization and business of the Institute.

A copy of the agenda may be obtained in writing: Linda Sanchez, de la Parte & Gilbert, P.A., 101 East Kennedy Boulevard, Suite 3400, Tampa, Florida 33602.

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**FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION**

The **Florida Automobile Joint Underwriting Association** announces a public meeting to which all persons are invited:

FAJUA Board of Governors Teleconference

DATE AND TIME: Monday, November 17, 2003, 2:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss and approve selection process for new general manager; and any other matters that may come before the Board.

FAJUA Selection Committee Teleconference

DATE AND TIME: Wednesday, November 19, 2003, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for general manager position; and any other matters that may come before the committee.

FAJUA Board of Governors Meeting

DATE AND TIME: Thursday, December 4, 2003, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Receive presentations from short list of applicants applying for position of general manager; and any other matters that may come before the Board.

PLACE: J. W. Marriott Hotel, 1109 Brickell Avenue, Miami, Florida

Additional information may be obtained from: Lisa B. Stoutamire, FAJUA, 1425 Piedmont Drive East, #201A, Tallahassee, FL 32308, (850)681-2003, [lstoutamire@fajua.org](mailto:lstoutamire@fajua.org).

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**ASSOCIATION OF COURT CLERKS**

The **Clerk of Court Operations Conference** announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2003, 1:30 p.m.

PLACE: Adam's Mark Hotel, 1500 Sandlake Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Organizational Operations and Review of Clerks' Budgetary Operations.

A copy of the agenda may be obtained by contacting: Beth Allman, Florida Association of Court Clerks, (850)921-0808.

**H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 19, 2003, 1:30 p.m.

PLACE: SRB, Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Barbara Sawyer by Friday, November 14, 2003.

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**FLORIDA LEAGUE OF CITIES**

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited:

Florida Municipal Pension Trust Fund

DATE AND TIME: Thursday, November 20, 2003, 11:00 a.m.

Joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust

DATE AND TIME: November 20, 2003, 1:00 p.m.

PLACE: Marco Island Marriott, 400 South Collier Boulevard, Marco Island, Florida 34145, (239)394-2511

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust. 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.

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The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited:

Florida Municipal Investment Trust

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

Joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

DATE AND TIME: November 20, 2003, 1:00 p.m.



GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to receive reports from investment manager and performance monitor.

PLACE: Marco Island Marriott, 400 South Collier Boulevard, Marco Island, Florida 34145, (239)394-2511

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, November 20, 2003, 3:00 p.m. or immediately upon adjournment of FMIvT which begins at 2:00 p.m.

PLACE: Marco Island Marriott, 400 South Collier Boulevard, Marco Island, Florida 34145, (239)394-2511

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.

**GOVERNOR’S COMMISSION ON VOLUNTEERISM AND COMMUNITY SERVICE**

The **Governor’s Commission on Volunteerism and Community Service**, Volunteer Florida announces a public conference call to which all persons are invited.

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

PLACE: Please call (850)921-5172 for call-in number and passcode

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission Business.

Please contact Gwen Erwin, Volunteer Florida, 115 Progress Drive, Tallahassee, Florida 32304, 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.

**FLORIDA COMPREHENSIVE HEALTH ASSOCIATION**

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting as follows:

DATE AND TIME: Friday, November 21, 2003, 11:00 a.m.

PLACE: Department of Financial Services, 200 E. Gaines Street, Larson Building, Rm. 101B, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors’ Meeting.

A copy of the proposed agenda may be obtained by writing: Brenda DeYounks, Florida Comprehensive Health Association, 1210 E. Park Avenue, Tallahassee, Florida 32301, (850)309-1200 or by facsimile (850)309-1222.

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

**FLORIDA SELF-INSURERS GUARANTY ASSOCIATION**

The **Florida Self-Insurers Guaranty Association**, Inc. announces the annual meeting of its Board of Directors in which all interested persons are invited to participate.

DATE AND TIME: Friday, November 21, 2003, 12:00 Noon

PLACE: Florida Hotel and Motel Association Building, 200 W. College Avenue, 2nd Floor Conference Room, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 200 W. College Avenue, Suite 115, Tallahassee, Florida 32301, (850)222-1882.

**FLAGLER COUNTY**

The **Flagler County** announces a public hearing to which all persons are invited.

DATE AND TIMES: December 2, 2003; 5:00 p.m. – 6:00 p.m. – Project Information; 6:00 p.m. – Formal portion of the Public Hearing (involving a project presentation and an opportunity for citizens to make formal statements)

PLACE: Flagler County Courthouse, 201 East Moody Boulevard, Room 107, Bunnell, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearing is being held to afford interested persons the opportunity to express their views concerning the location, design, social, economic, and environmental effects of the proposed extensions of two roadways: Palm Harbor Parkway (from Forest Grove Drive to Matanzas Woods Parkway) and Old Kings Road (from Forest Grove Drive to the existing Old Kings Road north of Matanzas Woods Parkway).

Anyone needing project or public hearing information (including the agenda) or special accommodations under the Americans with Disabilities Act of 1990 should write: Mr. Richard Gordon, Interim County Engineer, Flagler County, 1200 E. Moody Boulevard, #7, Bunnell, Florida 32110, (386)437-7496 or email: rgordon@fcbcc.org.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the Public Hearing.

A copy of the agenda may be obtained by writing: Mr. Richard Gordon, Interim County Engineer, Flagler County, 1200 E. Moody Boulevard, #7, Bunnell, Florida 32110.

**CRIMINAL JUSTICE TRAINING INSTITUTE**

The Indian River Community College, **Criminal Justice Training Institute** announces a public meeting for the Region XI Training Council, to which the public is invited.

DATE AND TIME: December 3, 2003, 10:00 a.m.

PLACE: Indian River Community College, Indian River Academy, 5900 Tedder Road, Fort Pierce, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review information gathered at the November State Commission meeting, provide update on training classes, and any other issues involving the region.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for Declaratory Statement on October 9, 2003, from T.A. Krebs Architect, Inc., with regards to the requirements of exposure classification as defined in Section 1606.1.8 of the Florida Building Code. It has been assigned the number DCA03-DEC-277.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Department of Community Affairs received a request for Declaratory Statement on October 21, 2003, from Ross Stafford Burnaman who represents George M. Hughes and Barbara Knowles, with regards to Sections 163.3161, et seq., Florida Statutes, (the Local Government Comprehensive Planning and Land Development Regulation Act) including Sections 163.3161, 163.3164, 163.3167, 163.3194 and 163.3215, Florida Statutes (2003), Section 380.04, Florida Statutes (2003) and Florida Public Service Commission Order PSC-03-0598-DS-EU (May 12, 2003). It has been assigned the number DCA03-DEC-295.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that In Re: Petition for Declaratory Statement, John Potter, Unit Owner, Royale Towers Condominium, DS 2003058761, the Department of Business and Professional Regulation, State of Florida, declares that Section 718.3025, Florida Statutes (2002), does not apply to contracts for major construction projects such as the repair and restoration of salt damaged balconies.

The Construction Industry Licensing Board hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement, filed by Kenneth E. Eriksen. The Notice of Petition for Declaratory Statement was published on August 8, 2003 in Vol. 29, No. 32 of the Florida Administrative Weekly. The Board considered the Petition at its meeting held on September 12, 2003 in Fort Lauderdale, Florida.

The Board's Order, filed October 23, 2003, denies the Petition for Declaratory Statement, finding that denial is proper when a petition for declaratory statement seeks approval or disapproval of conduct which has already occurred and that a declaratory statement is not to be used as a vehicle for the adoption of broad agency policies.

A copy of the Board's Order may be obtained by contacting: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that Florida Office of Insurance Regulation has issued an order disposing of the petition for Declaratory Statement filed by David S. Kahn on behalf of Capital Health Plan Single Life Small Group #S1969 on 8/13/03. The following is a summary of the agency's disposition of the petition: The Petition for Declaratory Statement was denied for lack of jurisdiction.

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**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**

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**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

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**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

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**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**NOTICE OF CHANGE  
CALL FOR BIDS**

made by the University of Central Florida  
PROJECT NAME, NUMBER & LOCATION: Engineering Building III, University of Cental Florida, BR 501

Notice is hereby given that the following changes have been made to the qualification statement and bid due date.

QUALIFICATION: All Bidders must be pre-qualified in accordance with the Instructions to Bidders, Article B-2. Pre-qualification statements are due at the office of Farmer Baker Barrios Architects, Inc. 300 S. Orange Avenue, Orlando, FL 32801, (407)926-3000, by 2:00 p.m. November 12, 2003. Address to the attention of Mark Hose, AIA. Sealed bids will be received on:

DATE AND TIME: December 4, 2003, until 2:00 p.m., local time.

PLACE: Physical Plant Complex, 4000 Central Florida Blvd., Building 16 Libra Drive, at which time and place they will be publicly opened and read aloud.

Contract award will be made subject to the availabilty of funds.  
PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer at Farmer Baker Barrios Architects, 300 S. Orange Ave, Suite 900, Orlando, FL 32801 (407)926-3000

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Thursday, October 30, 2003, 10:00 a.m., local time.

PLACE: Physical Plant Complex, 4000 Central Florida Blvd., Building 16 Libra Drive.

DEPOSIT: \$300.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be at the local plan rooms. Full sets may be purchased through the Architect/Engineer for \$200.00 per set for the printing and handling cost. Partial sets may be purchased at \$5.00 per sheet of the drawings and \$50.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$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.

PUBLIC ANNOUNCEMENT FOR  
CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: FSDB 20040009

PROJECT NAME: Wartmann Hall Renovations

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL, 32084-2799

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide Construction Management at Risk Services for the renovation of a two-story, 13,773 SF masonry dormitory building. This facility's renovation is to be completed prior to August 1, 2004. The construction budget for this project is \$2,400,000.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria established by the Division of Building Construction.

Firms interested in being considered for this project must submit four (4) copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, form DBC5085.
3. Resumes of proposed staff and staff organization.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Submit four (4) copies of application to the: The Florida School for the Deaf and the Blind, Attn. Lloyd Jenkins, Project Manager, Facilities Department, 207 North San Marco Avenue, Building 27, St. Augustine, FL 32084-2799.

For further information, contact: Lloyd Jenkins, Project Manager, (904)827-2363.

Response Due Date: December 3, 2003, no later than 3:00 p.m. Firms will be short-listed on December 10, 2003. Following the short-list selection, a Pre-interview workshop will be held on December 19, 2003 at 9:00 a.m. for all short-listed firms. Interviews will be conducted on January 6, 2004. A final selection will be made after the interviews have taken place.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #27, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after each selection. Any protest of the selections must be made within 72 hours of the postings. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

CORRECTION  
ADVERTISEMENT FOR BIDS  
Invitation To Bid (ITB)

For a

General or Building Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities Services, Room 535, 1701 Prudential Drive, Jacksonville, Florida 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, 5th Floor, Room 513D, Jacksonville, Florida.

The Invitation to Bid for the referenced project has been cancelled.

No bids will be accepted on November 18, 2003.

OFFICIAL PROJECT TITLE: New SED Building at Terry Parker High School No. 86 DCPS PROJECT NO. C-90920

**SCOPE OF WORK:** This project will include construction of a new 15,000 square foot building with six classrooms, three resource rooms, administration area, and site improvements to include a parent pick up and bus loop.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on November 4, 2003, 10:00 a.m., Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$150.00 at the office of:

Bhide and Hall Architects, P.A.  
1329 Kingsley Avenue, Suite C  
Orange Park, Florida 32073

DCSB Point of Contact: Tony Gimenez – 390-2279

Contract documents for bidding may be examined at the office of Bhide and Hall Architects.

MBE Participation Goal: 20% overall

The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids for all construction projects exceeding \$200,000 and electrical projects exceeding \$50,000. Effective May 31, 2003, all Contractors submitting bids must be prequalified with Duval County Public Schools. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools.

Prequalification forms and information may be obtained by contacting: Richard Beaudoin or Ronald A. Fagan at 1701 Prudential Dr., Jacksonville, FL. 32207; Ph. (904)390-2358 or (904)390-2922, Fax: (904)390-2265, Email: beaudoinr@educationcentral.org or faganr@educationcentral.org.

The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

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#### **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."

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#### **REGIONAL PLANNING COUNCILS**

##### **FIRST NOTICE**

##### **REQUEST FOR PROPOSALS**

A comparison of invertebrate species richness, diversity and biomass at different habitats in the Greater Charlotte Harbor System

Proposals for this service must be received by the Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, by 5:00 p.m. (local time), Monday, December 29, 2003. The Charlotte Harbor National Estuary Program (NEP) reserves the right to reject any or all proposals.

Scope of Service: One of the priority objectives of the Charlotte Harbor National Estuary Program is for the region to maintain, restore and/or enhance submerged aquatic vegetation, inter-tidal unvegetated, saltwater marsh, mangrove, oyster, freshwater wetland and native upland habitats to a total extent and quality no less than caused by natural variation. There are few current studies relating to invertebrate presence and abundance in these different habitats of the greater Charlotte Harbor system, and there is no central location for the scattered information base. Thus, the Charlotte Harbor NEP is interested in evaluating the usage by invertebrates of these aforementioned habitats within the coastal Charlotte Harbor region to document their importance to the overall health of the system. This project will compile data from previous efforts and undertake original analysis to evaluate and compare presence/absence and abundance of invertebrates within the aforementioned habitats across the basins of the Charlotte Harbor system. The project will compile this information into a central location that can be provided to decision-makers. The final report will evaluate and compare presence/absence and abundance of invertebrates within each habitat type across basins within the greater Charlotte Harbor watershed. If additional information is needed to provide a complete analysis for a specific area, the report will describe the type of information necessary to complete the analysis in similar future endeavors. The final report will synthesize the information and be provided in an interactive CD format.

**INVITATION TO PROPOSE:** The program hereby solicits proposals for the project "A comparison of invertebrate species richness, diversity and biomass at different habitats in the Greater Charlotte Harbor System." The Program anticipates awarding only one contract. The Program reserves the right to reject any or all proposals. Awards will be made to respondents whose proposals are deemed by the Program to be most beneficial, all factors considered.

**REQUEST FOR PROPOSALS (RFP) INFORMATION AND INSTRUCTION:** All requests for information, instructions and applications for submitting a proposal must be submitted in writing to Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida 33917-3909, Fax 239-656-7724 or email:

ccorbett@swfrpc.org. All requests for clarification or for additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m. Wednesday, November 26, 2003.

HOW TO APPLY: A Request for Proposals document may be obtained by contacting, in writing, Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, Fax (239)656-7724 or email: ccorbett@swfrpc.org. All requests for clarification or additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m. Wednesday, November 26, 2003. Proposals must then be received by the Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, by 5:00 p.m. (local time), Monday, December 29, 2003.

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## WATER MANAGEMENT DISTRICTS

### REQUEST FOR PROPOSALS

RFP No. 03/04-010ADM

#### TELEPHONE AND VOICE MESSAGING SYSTEM

The Suwannee River Water Management District (District) is soliciting proposals for a telecommunications system to support our headquarters facility located at 9225 County Road 49, Live Oak, Florida 32060. The selected vendor will be the District's primary source for (1) PBX and Key/hybrid system hardware and software and voice messaging equipment, (2) installation and configuration services for this equipment, (3) training of users and administrators, (4) maintenance of purchased and installed equipment and software, and (5) upgrades to the installed systems as necessary.

A copy of this RFP will be available on November 7, 2003, at [www.srwmd.state.fl.us](http://www.srwmd.state.fl.us) OR requests for the RFP document may be directed to:

Melanie Roberts, Contracts Facilitator  
 Suwannee River Water Management District  
 9225 CR 49  
 Live Oak, FL 32060  
 (386)362-1001 or 1(800)226-1066 (Florida only)

A mandatory pre-proposal meeting will be held at 10:30 a.m. on Monday, November 24, 2003, at District headquarters. All responses are due at District headquarters no later than 4:00 p.m. on Friday, December 5, 2003. Any questions regarding this project should be directed to Jon Wood by Fax at (386)362-1056 or via e-mail at [wood\\_j@srwmd.state.fl.us](mailto:wood_j@srwmd.state.fl.us). Only written communication will be answered.

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## FLORIDA SPACE AUTHORITY

### REQUESTS FOR ANTICIPATED SERVICES

For Federal Governmental/Congressional Relations

The Florida Space Authority (Authority) is seeking expressions of interest and statements of qualification for persons or companies to provide federal governmental/legislative services for the Authority and its Board of Supervisors. The period of performance shall be from the execution date of an Agreement through June 30, 2004.

The expression should include the qualifications of individuals, or teams, and resumes, a list of previous clients represented before Congress and the Executive Branch. The awarded person or company will work with the designated Authority employee to develop Authority congressional and appropriation agenda and will attend appropriate meetings. If qualified and awarded, the award recipient will arrange appropriate meetings, prepare the Authority for committee meetings and testimony, and prepare an overall strategy for both congressional and appropriation issues. Please include your estimated monthly rates for these services.

The Florida Space Authority was created as a state government space agency by Florida's Governor and Legislature in 1989. The Authority's mission (as authorized in Chapter 331, Part II, Florida Statutes) is to retain, expand and diversify the state's space-related industry. Chapter 331, F.S., gives the Authority governmental powers similar to other types of transportation authorities (airport, seaport, etc.) to support and regulate the state's space transportation industry.

Interested persons or companies should submit four (4) copies of their expression of interest in a sealed envelope entitled "REQUEST FOR ANTICIPATED SERVICES – GOVERNMENTAL/CONGRESSIONAL SERVICES" to JoAnne Owler, Manager, Contracts and Facilities, Florida Space Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. Applications must be received no later than 12:00 Noon EST on November 21, 2003. NO PHONE CALLS PLEASE.

The Florida Space Authority reserves the right to accept or reject any and all responses in the best interest of the State.

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## DEPARTMENT OF MANAGEMENT SERVICES

Offers For Sale its facility formerly known as the Daytona Beach Reed Act Building, building and grounds at 702 South Ridgewood Avenue, Daytona Beach, Volusia County, Florida.

Lot size: 75,062 Square Feet, 1.723 Acres M.O.L./Building size: 10,607 Square Feet M.O.L.

The initial offering price for the property is \$780,000\*\*.

\*\*Initial Offering price is based upon the last appraisal dated January 2001. Sale price may be subject to change based on an appraisal at the time of sale or contract.

Sealed bids will be received by the Florida Agency for Workforce Innovation, General Services, 107 East Madison Street, B-047, Tallahassee, Florida 32399-4102 until 4:00 p.m., December 17, 2003.

Interested parties may obtain information and bid packages by contacting AWI, General Services, at (850)245-7467 or (850)245-7459 or by clicking on "Building Sales" at the following web site: <http://www.floridajobs.org/>.

AWI reserves the right to reject any or all bids. In the event the AWI offering price and/or terms are not met in this bidding process, AWI and its agents reserve the right to negotiate with any bidding or non-bidding party.

DIVISION OF FACILITIES MANAGEMENT AND  
BUILDING CONSTRUCTION  
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL  
SERVICES  
FOR MECHANICAL/ELECTRICAL/PLUMBING  
CONTINUING AREA CONTRACTS AREA 6 AND 7  
COMBINED

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction requests qualifications from mechanical/electrical/plumbing engineering firms to provide professional services in Area 6, counties of Charlotte, Collier, Desoto, Glades, Hendry, Highlands, Lee, Okeechobee, Area 7 counties of Broward, Dade, Martin, Monroe, Palm Beach, St. Lucie 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](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu)

NOTICE TO PROFESSIONAL CONSULTANTS  
PUBLIC ANNOUNCEMENT FOR GEOTECHNICAL  
AND ENVIRONMENTAL ENGINEERING  
CONSULTING SERVICES, CONTINUING AREA  
CONTRACTS, NORTH REGION

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction requests qualifications from Geotechnical and Environmental Engineering Consulting firms to provide professional services in the Florida North Region. All counties in a line across the State North of Manatee, Hardee, Highlands, Okeechobee, and St. Lucie.

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](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu)

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

Contract Negotiations With Our Kids  
of Miami-Dade/Monroe, Inc.

We wish to inform all who may be interested that the Department of Children and Family Services, District 11 will hold formal contract negotiations for a Start-up Contract with the CBC Lead Agency, Our Kids of Miami-Dade/Monroe, Inc., according to the following schedule:

Session 1:

DATE AND TIME: Wednesday, November 5, 2003, 10:00 a.m. – 2:00 p.m.

PLACE: DCF District 11, 401 N. W. 2 Ave., Suite N1007, DA's Conference Room, Miami, FL 33128, (305)377-5055

Session 2:

DATE AND TIME: Monday, November 10, 2003, 10:00 a.m. – 1:00 p.m.

PLACE: DCF District 11, 401 N.W. 2 Ave., Suite N1007, DA's Conference Room, Miami, FL 33128, (305)377-5055

Session 3:

DATE AND TIME: Monday, November 17, 2003, 10:00 a.m. – 2:00 p.m.

PLACE: DCF District 11, 401 N. W. 2 Ave., Suite N1007, DA's Conference Room, Miami, FL 33128, (305)377-5055

We ask that you make this announcement available to all who may be interested.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

ADVERTISEMENT FOR BIDS

BIDS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NO: FWC 03/04-39  
 PROJECT NAME: FLORIDA BASS CONSERVATION CENTER

PROJECT LOCATION: WEBSTER, SUMTER COUNTY, FLORIDA

FOR:  
 Project consists of demolition and site preparation of existing fish house and four production ponds; sitework including entrance road and parking lots, electrical distribution, site piping for hatchery supply and drain lines; a new 1,200 gpm west recycle pump station including pond and ditch regrading; a new 5,300 s.f. fish transfer/ holding raceway pavilion including fourteen (14) concrete raceways; a new two-story 10,000 s.f. concrete masonry office building including laboratories and elevator; a 24,000 s.f. pre-engineered production/research/water treatment building attached to the office building. Process water treatment includes boilers, chillers, sterilization, sand filtration, ozonation and carbon dioxide stripping as well as oxygen injection at the concrete headtank and two – 3,600 gpm drum screens. A new 1,200 gpm production groundwater well, a new potable water well and domestic on-site wastewater treatment system; a new 4,000 s.f. pre-engineered equipment storage building; rehabilitation and new pumps/motors for two existing 1,200 gpm groundwater wells; and the rehabilitation and upgrade of the existing east recycle pump station; as well as improvement to several existing production ponds and water control structures.

PREQUALIFICATION:  
 Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit proposals, at least five (5) calendar days prior to the bid opening date if not previously qualified by the Commission. Call (850)488-5531 for information on prequalification with the Florida Fish and Wildlife Conservation Commission.

PRE-BID CONFERENCE:  
 A non-mandatory pre-bid conference has been scheduled for 10:00 a.m. EST on December 3, 2003 at Richloam Fish Hatchery, 3771 CR 788, Webster, FL 33597.

REQUIRED BONDS:  
 Bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.  
 After award of Contract, a 100% Performance Bond and a 100% Labor and Material Payment Bond Will be required.  
 Sealed bids will be received, publicly opened and read aloud on:  
 DATE AND TIME: December 19, 2003, 3:00 p.m. EST.  
 PLACE: Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Tel. (850)488-3428

PROPOSAL:  
 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 above mentioned Purchasing Office, upon payment of \$250.00, non-refundable, for one set. The payment envelope MUST be plainly marked on the outside with the bid number. The bid package will be sent overnight upon receiving payment by the Purchasing Office.

**BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners, Walton County, Florida (the County) is seeking proposals from qualified Housing Finance Authorities in Florida to operate a Single Family Mortgage Revenue Bond Program within Walton County. Copies of proposals can be received at Central Purchasing, Glyndol Johnson, Purchasing Agent, 176 Montgomery Circle, DeFuniak Springs, FL 32435 or visit our website at [www.co.walton.fl.us](http://www.co.walton.fl.us) and click on "Doing business with us". Proposer must submit an original and six copies of the RFP in a sealed envelope marked with the words "Single Family Mortgage Revenue Bond Program". Proposer must reference RFP number, opening date on outside of envelope to ensure proper acceptance. Proposal deadline: Nov 28, 2003 by 4:00 p.m. Proposal open: December 1, 2003 at 9:00 a.m. PROPOSAL RECEIVED LATE WILL NOT BE ACCEPTED, NO ELECTRONIC PROPOSALS.

**Section XII  
 Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

**NOTICE OF INTENT TO FIND  
 PUBLIC SCHOOLS INTERLOCAL AGREEMENT  
 CONSISTENT WITH SECTION 163.3177(2) AND (3),  
 FLORIDA STATUTES  
 DCA DOCKET NO. 66-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by Walton County, DeFuniak Springs, Freeport, Paxton and the Walton 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 176 Montgomery Circle; Defuniak Springs, Florida 32435.

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 Walton County, DeFuniak Springs, Freeport, Paxton and the Walton 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  
 Chief, Bureau of Local Planning  
 Department of Community Affairs  
 Division of Community Planning  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

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NOTICE OF INTENT TO FIND  
 PUBLIC SCHOOLS INTERLOCAL AGREEMENT  
 CONSISTENT WITH SECTION 163.31777(2) AND (3),  
 FLORIDA STATUTES  
 DCA DOCKET NO. 13-03

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Miami-Dade and the Bay Harbor Islands 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 Bay Harbor Islands, 9665 Bay Harbor Terrace, Bay Harbor Islands, Florida 33154.

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 Miami-Dade and the Bay Harbor Islands 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  
 Chief, Bureau of Local Planning  
 Department of Community Affairs  
 Division of Community Planning  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

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**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**CERTIFICATE OF NEED  
LETTERS OF INTENT**

The Agency For Health Care Administration received and accepted the following letters of intent for the November 26, 2003 application filing date for Hospital Beds and Facilities batching cycle:

County: Levy	District: 3
Date Filed: October 27, 2003	LOI#: H0310001
Facility/Project: North Central Florida Hospice, Inc.	
Applicant: North Central Florida Hospice, Inc.	
Project Description: Establish 12 inpatient hospice beds	
County: Putnam	District: 3
Date Filed: October 27, 2003	LOI#: H0310002
Facility/Project: North Central Florida Hospice, Inc.	
Applicant: North Central Florida Hospice, Inc.	
Project Description: Establish 10 inpatient hospice beds	
County: Volusia	District: 4
Date Filed: October 27, 2003	LOI#: H0310003
Facility/Project: Coastal Hospice, Inc.	
Applicant: Coastal Hospice, Inc.	
Project Description: Establish a hospice program	
County: Volusia	District: 4
Date Filed: October 27, 2003	LOI#: H0310004
Facility/Project: Heartland Hospice Services of Florida, Inc.	
Applicant: Heartland Hospice Services of Florida, Inc.	
Project Description: Establish a hospice program	
County: Volusia	District: 4
Date Filed: October 27, 2003	LOI#: H0310005
Facility/Project: Hospice of the Palm Coast, Inc.	
Applicant: Hospice of the Palm Coast, Inc.	
Project Description: Establish a hospice program	
County: Volusia	District: 4
Date Filed: October 27, 2003	LOI#: H0310006
Facility/Project: Vitas Healthcare Corporation of Central Florida	
Applicant: Vitas Healthcare Corporation of Central Florida	

Project Description: Establish a hospice program	
County: Pasco	District: 5
Date Filed: October 27, 2003	LOI#: H0310007
Facility/Project: Hernando Pasco Hospice, Inc.	
Applicant: Hernando Pasco Hospice, Inc.	
Project Description: Establish up to 16 inpatient hospice beds	
County: Orange	District: 7
Date Filed: October 27, 2003	LOI#: H0310008
Facility/Project: Heartland Hospice Services of Florida, Inc.	
Applicant: Heartland Hospice Services of Florida, Inc.	
Project Description: Establish a hospice program	
County: Sarasota	District: 8
Date Filed: October 27, 2003	LOI#: H0310009
Facility/Project: BEAM Management, L.L.C.	
Applicant: BEAM Management, L.L.C.	
Project Description: Establish a 120-bed skilled nursing facility through the delicensure of 120 inactive skilled nursing beds at CLC Venice Beach	
County: Charlotte	District: 8
Date Filed: October 27, 2003	LOI#: H0310010
Facility/Project: HOPE of Southwest Florida, Inc.	
Applicant: HOPE of Southwest Florida, Inc.	
Project Description: Establish a hospice program	
County: Collier	District: 8
Date Filed: October 27, 2003	LOI#: H0310011
Facility/Project: HOPE of Southwest Florida, Inc.	
Applicant: HOPE of Southwest Florida, Inc.	
Project Description: Establish a hospice program	
County: Indian River	District: 9
Date Filed: October 27, 2003	LOI#: H0310012
Facility/Project: Vitas Healthcare Corporation of Florida	
Applicant: Vitas Healthcare Corporation of Florida	
Project Description: Establish a hospice program	
County: St. Lucie	District: 9
Date Filed: October 27, 2003	LOI#: H0310013
Facility/Project: Hospice of the Treasure Coast, Inc.	
Applicant: Hospice of the Treasure Coast, Inc.	
Project Description: Establish up to 12 inpatient hospice beds	

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after January 2, 2004, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on December 12, 2003.

**CERTIFICATE OF NEED**

**NOTICE OF POSITION CHANGE**

The Agency for Health Care Administration hereby issues notice of a change of position on the Certificate of Need applications listed below from withdrawn to approved:

County: Dade Service District: 11  
 CON #: 9473 Decision Date: 10/29/2003 Decision: A  
 Facility/Project: Brookwood Gardens Convalescent Center  
 Applicant: Brookwood Gardens Convalescent Center Operations, L.L.C.

Project Description: Transfer CON #8157  
 County: Jackson Service District: 2  
 CON #: 9522 Decision Date: 10/29/2003 Decision: A  
 Facility/Project: Jackson County Convalescent Center  
 Applicant: Jackson County Convalescent Center Operations, L.L.C.

Project Description: Transfer CON EX #01000024 (combined CON #s 4392,6980,9118)  
 County: Walton Service District: 1  
 CON #: 9523 Decision Date: 10/29/2003 Decision: A  
 Facility/Project: Walton County Convalescent Center  
 Applicant: Walton County Convalescent Center Operations, L.L.C.

Project Description: Transfer CON EX #01000023(combined CON #s 5317,8088,8274)

The initial withdrawal of CON #9473 was published as a Notice of Withdrawal in Vol. 27, No. 42 of the Florida Administrative Weekly on October 19, 2001. The initial withdrawal of CON #9522 and CON #9523 was published as a Notice of Withdrawal in Vol. 27, No. 49 of the Florida Administrative Weekly on December 7, 2001. This notice of change of position is published subsequent to CON review of the three above referenced applications.

A request for administrative hearing, if any, must be made in writing and must be actually received by the Agency within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

On October 23, 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 Fitz-Herbert Harris, D.D.S., license number DN 8880. 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**

**SECURITIES GUARANTY FUND**

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Office of Financial Regulation, on April 16, 2003, issued a Notice of Intent to Enter a Final Order Approving Recovery from the Securities Guaranty Fund and Notice of Rights in Administrative Proceeding No. 0021-S-03/03 to Preferred Securities Group, Inc., CRD #35704. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301, or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk  
 Department of Financial Services  
 Office of Financial Regulation  
 Suite 526, Fletcher Building  
 200 East Gaines Street  
 Tallahassee, Florida 32399-0379

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE OFFICE WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS SET FORTH IN THE NOTICE OF INTENT.

SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Office of Financial Regulation, on May 20, 2003, issued a Notice of Intent to Enter a Final Order Approving Recovery from the Securities Guaranty Fund and Notice of Rights in Administrative Proceeding No. 0028-S-04/03 to Redstone Securities, Inc., CRD #19628 and Peter Boudouvas, CRD#2302127. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301, or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk  
Department of Financial Services  
Office of Financial Regulation  
Suite 526, Fletcher Building  
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Tallahassee, Florida 32399-0379

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SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Office of Financial Regulation, on December 17, 2002, issued a Notice of Intent to Enter a Final Order Approving Recovery from the Securities Guaranty Fund and Notice of Rights in Administrative Proceeding No. 3261-S-05/01 to Jay Harry Drivas and Sunpoint Securities, Inc., CRD#1517814. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301, or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk  
Department of Financial Services  
Office of Financial Regulation  
Suite 526, Fletcher Building  
200 East Gaines Street  
Tallahassee, Florida 32399-0379

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SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Office of Financial Regulation, on April 10, 2003, issued a Notice of Intent to Enter a Final Order Approving Recovery from the Securities Guaranty Fund and Notice of Rights in Administrative Proceeding No. 3420-S-2/02 to Investors Associates, Inc., CRD #958; Herman Epstein, CRD#201696; Lawrence J. Penna, CRD#359779; William M. Cutrone, CRD#2542314; Mark Blonder, CRD#2505915; Douglas J. Mangan, CRD#2098270; and Vincent Grieco, CRD#1568462. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florids Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301, or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk  
Department of Financial Services  
Office of Financial Regulation  
Suite 526, Fletcher Building  
200 East Gaines Street  
Tallahassee, Florida 32399-0379

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE OFFICE WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS SET FORTH IN THE NOTICE OF INTENT.

SECURITIES GUARANTY FUND

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Office of Financial Regulation, on September 17, 2003, issued a Notice of Intent to Enter a Final Order Approving Recovery from the Securities Guaranty Fund and Notice of Rights in Administrative Proceeding No. 3505-S-07/02 to The Golden, Lender Financial Group, Inc., CRD #38850; Joseph H. Castro, CRD#2706207; Kenneth R. Luaher, CRD#2810496; and Roman Sakharovich, CRD#2710752. Those persons whose substantial interests may be determined by this proceeding are advised that they may request a hearing concerning the Notice of Intent, to be conducted in accordance with the provisions of Section 120.57, Florids Statutes. The petition for hearing must comply with Rules 28-106.201, 28-106.301, or 28-107.004, Florida Administrative Code, and must be received within twenty-one (21) days of the date of publication of this notice. Petitions shall be filed with:

Agency Clerk  
Department of Financial Services  
Office of Financial Regulation  
Suite 526, Fletcher Building  
200 East Gaines Street  
Tallahassee, Florida 32399-0379

FAILURE OF A RESPONDENT TO TIMELY FILE A REQUEST FOR HEARING WITHIN THE 21 DAY TIME PERIOD, SHALL CONSTITUTE A WAIVER OF THAT RESPONDENT'S RIGHT TO REQUEST A HEARING ON ANY MATTER SET FORTH IN THE NOTICE OF INTENT, AND THE OFFICE WILL ISSUE ITS FINAL ORDER TAKING THE ACTIONS SET FORTH IN THE NOTICE OF INTENT.

NOTICE OF FILINGS

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., November 28, 2003:

APPLICATION FOR

A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: Great Florida Bank, One Biscayne Tower, Suite 110, 2 South Biscayne Boulevard, Miami, Florida 33131

Correspondent: John Greeley, 255 S. Orange Avenue #800, Orlando, Florida 32801

Received: October 21, 2003

Applicant and Proposed Location: First America Bank, 1200S. Tamiami Trail, Osprey, Florida 34229

Correspondent: John Greeley, 255 S. Orange Avenue #800, Orlando, Florida 32801

Received: October 22, 2003

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

					Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
RULES FILED BETWEEN October 20, 2003 and October 24, 2003					40C-1.900	10/22/03	11/11/03	29/28	
					40C-2.041	10/22/03	11/11/03	29/28	
					40C-2.051	10/22/03	11/11/03	29/28	29/39
Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	40C-2.321	10/22/03	11/11/03	29/28	
					40C-3.455	10/22/03	11/11/03	29/28	
					40C-3.492	10/22/03	11/11/03	29/28	
					40C-3.525	10/22/03	11/11/03	29/28	
<b>DEPARTMENT OF CORRECTIONS</b>					40C-3.531	10/22/03	11/11/03	29/28	
33-602.203	10/21/03	11/10/03	29/33	29/38	40C-3.532	10/22/03	11/11/03	29/28	
<b>WATER MANAGEMENT DISTRICTS</b>					40C-4.031	10/22/03	11/11/03	29/28	
<b>St. Johns River Water Management District</b>					40C-4.051	10/22/03	11/11/03	29/28	
40C-1.002	10/22/03	11/11/03	29/28		40C-4.091	10/22/03	11/11/03	29/28	
40C-1.106	10/22/03	11/11/03	29/28		40C-4.201	10/22/03	11/11/03	29/28	
40C-1.135	10/22/03	11/11/03	29/28		40C-4.381	10/22/03	11/11/03	29/28	
40C-1.602	10/22/03	11/11/03	29/28		40C-4.461	10/22/03	11/11/03	29/28	
40C-1.603	10/22/03	11/11/03	29/28	29/39	40C-4.471	10/22/03	11/11/03	29/28	
40C-1.708	10/22/03	11/11/03	29/28		40C-4.481	10/22/03	11/11/03	29/28	
40C-1.721	10/22/03	11/11/03	29/28		40C-4.751	10/22/03	11/11/03	29/28	
40C-1.801	10/22/03	11/11/03	29/28		40C-8.031	10/21/03	11/10/03	29/38	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
40C-21.331	10/22/03	11/11/03	29/28	
40C-21.391	10/22/03	11/11/03	29/28	
40C-24.020	10/22/03	11/11/03	29/28	
40C-40.031	10/22/03	11/11/03	29/28	
40C-40.351	10/22/03	11/11/03	29/28	
40C-40.381	10/22/03	11/11/03	29/28	
40C-41.033	10/22/03	11/11/03	29/28	
40C-42.022	10/22/03	11/11/03	29/28	
40C-42.033	10/22/03	11/11/03	29/28	
40C-44.031	10/22/03	11/11/03	29/28	
40C-44.071	10/22/03	11/11/03	29/28	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

61G4-15.003	10/24/03	11/13/03	29/36	29/39
61G4-15.018	10/21/03	11/10/03	29/38	
61G4-18.004	10/21/03	11/10/03	29/38	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Florida Real Estate Appraisal Board**

61J1-2.001	10/21/03	11/10/03	29/38	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Recreation and Parks**

62D-5.031	10/24/03	11/13/03	29/38	
62D-5.032	10/24/03	11/13/03	29/38	
62D-5.033	10/24/03	11/13/03	29/38	
62D-5.034	10/24/03	11/13/03	29/38	
62D-5.035	10/24/03	11/13/03	29/38	
62D-5.036	10/24/03	11/13/03	29/38	
62D-5.038	10/24/03	11/13/03	29/38	
62D-5.039	10/24/03	11/13/03	29/38	



Section XIV  
List of Rules Affected

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.				3D-40.200	29/38		
w - Signifies Withdrawal of Proposed Rule(s)				3D-40.220	29/38		
c - Rule Challenge Filed				3E-48.005	28/42		
v - Rule Declared Valid				3E-200.001	29/33		29/43
x - Rule Declared Invalid				3E-300.002	29/33		29/43
d - Rule Challenge Dismissed				3E-600.002	29/38		
dw - Dismissed Upon Withdrawal				3E-600.005	29/33		29/43
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	3E-600.012	29/33		29/43
				3E-600.013	29/33		29/43
				3E-600.0131	29/33		29/43
				3E-600.0132	28/40		29/42w
				3E-600.014	29/33		29/43
				3E-600.015	29/33		29/43
				3E-600.020	29/33		29/43
				3F-5.0015	29/39	29/45	
STATE				3F-5.0035	29/39	29/45	
1A-35.005	28/18			3F-5.004	29/39	29/45	
1A-35.007	28/18			3F-5.006	29/39	29/45	
1B-2.011	29/32	29/45		3F-5.008	29/39	29/45	
1B-24.002	26/43			3F-5.010	28/48	29/27	29/39
1S-2.002	26/27	26/35	29/43	3F-7.006	29/39	29/45	
	29/34		29/43	INSURANCE			
1S-2.0091	29/41			4-1	29/33c		
1S-2.010	29/41			4-138.047	28/41		
1S-2.020	29/34		29/43	4-141.0016	21/2c		
1S-2.021	29/34		29/43	4-143.007	29/18		29/38
1S-2.028	29/41			4-143.008	29/18		29/38
1S-2.030	29/34			4-143.015	29/18		29/38
1S-2.031	29/45			4-149	24/3c		
1S-2.034	29/42				24/3c		
	29/45			4-149.101	24/3c		
IT-1.001(17)	29/18	29/34	29/41		24/3c		
IT-1.001(20)	29/18	29/34	29/41	4-149.102	24/3c		
LEGAL AFFAIRS					24/3c		
				4-149.103	24/3c		
2-39.010	29/42				24/3c		
2-39.020	29/42			4-149.104	24/3c		
2-39.030	29/42				24/3c		
2A-8.001	29/42			4-149.105	24/3c		
2A-8.002	29/42				24/3c		
2A-8.003	29/42			4-149.106	24/3c		
2A-8.004	29/42				24/3c		
2A-8.005	29/42			4-149.107	24/3c		
2B-1.0025	29/42				24/3c		
BANKING AND FINANCE				4-149.108	24/3c		
					24/3c		
				4-149.109	24/3c		
3C-560.102	29/38				24/3c		
3C-560.201	29/38			4-149.110	24/3c		
3D-40.0271	29/31				24/3c		
3D-40.031	29/38			4-149.1105	24/3c		
3D-40.043	29/31			4-149.111	24/3c		
3D-40.051	29/38				24/3c		
3D-40.100	29/38				24/3c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.112	24/3c			4-202.008	29/37		
	24/3c			4-202.012	29/37		
4-149.113	24/3c			4-202.015	29/37		
	24/3c			4-211.031	27/44		
4-149.114	24/3c			4-211.042(8)	29/35c		
4-149.115	24/3c			4-228.055	26/35		
4-149.116	24/3c			4A-3.002	27/12		
4-149.117	24/3c			4A-21.115	29/37		
4-149.118	24/3c			4A-41.108	29/25		
4-149.119	24/3c			4A-62.0001	29/44		
4-149.120	24/3c			4A-62.001	29/44		
	24/3c			4A-62.002	29/44		
4-149.121	24/3c			4A-62.003	29/44		
	24/3c			4A-62.006	29/44		
4-149.122	24/3c			4A-62.007	29/44		
	24/3c			4A-62.020	29/44		
4-149.123	24/3c			4A-62.021	29/44		
	24/3c			4A-62.022	29/44		
4-149.124	24/3c			4A-62.023	29/44		
4-149.125	24/3c			4A-62.030	29/44		
4-149.126	24/3c			4A-62.031	29/44		
4-149.127	24/3c			4A-62.032	29/44		
4-149.128	24/3c			4A-62.033	29/44		
4-149.129	24/3c			4A-62.034	29/44		
4-149.130	24/3c			4A-62.035	29/44		
	24/3c			4A-62.036	29/44		
4-149.131	24/3c			4A-62.040	29/44		
	24/3c			4A-62.041	29/44		
4-149.132	24/3c			4A-62.042	29/44		
	24/3c			4A-62.043	29/44		
4-149.133	24/3c			4A-62.044	29/44		
	24/3c			4A-62.045	29/44		
4-149.190	24/3c			4C-6.003	29/38		
4-149.203	29/36		29/44w	4C-40.0055	28/47		
4-149.203(5),(6),				4L-7.020	29/38		
(8),(9),(10)	29/44c			4L-24.0221	29/34		29/42
4-149.204	29/36		29/44w	4L-24.0231	29/39		
4-149.207	29/36		29/44w				
4-154.112		28/52	29/38	AGRICULTURE AND CONSUMER SERVICES			
	29/16	29/29	29/38	5B-3.003	29/25		29/40
4-154.201	29/37			5B-3.0032	29/25		29/40
4-154.202	28/40		29/42w	5B-3.0035	29/25		29/40
	29/37	29/42		5B-3.0038	29/25		29/40
4-154.203	29/37			5B-58.001	27/29		
4-154.204	29/37				27/42	27/49	
4-154.210	29/37			5B-58.001(16)	27/50c		
4-154.525	29/16	29/25		5D-1.001	29/26		29/41
		29/29	29/38w	5D-1.003	29/26		29/41
4-163.0045	29/16	29/29	29/38	5D-1.007	29/26		29/41
4-164.010	29/34			5D-1.012	29/26	29/31	29/41
4-164.020	29/34	29/39		5E-1.014	29/32		29/40
4-176.013	29/36			5E-2.011	29/32		
4-189.003	29/18		29/38	5E-2.0311	29/42		
4-189.0055	29/18	29/37		5E-2.033	29/35c		29/44d
4-193.065	29/18	29/39		5I-4.002	29/34		
4-200.007	29/44						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
5I-4.003	29/34			6C4-10.005	Newspaper		29/40
5I-4.005	29/34			6C4-10.006	Newspaper		29/40
5I-4.006	29/34			6C4-10.007	Newspaper		29/40
5I-4.007	29/34			6C4-10.009	Newspaper		29/40
5I-4.008	29/34			6C4-10.010	Newspaper		29/40
5I-4.011	29/34			6C4-10.011	Newspaper		29/40
5J-9.002	28/41	29/35	29/42	6C4-10.013	Newspaper		29/40
5J-9.006	28/41	29/35	29/42	6C4-10.014	Newspaper		29/40
5J-10.002	28/41	29/35	29/42	6C4-10.015	Newspaper		29/40
5J-12.002	29/37		29/44	6C4-10.016	Newspaper		29/40
5J-13.002	28/41	29/35	29/41w	6C4-10.100	Newspaper		29/40
5J-13.003	28/41	29/35	29/41w	6C4-10.101	Newspaper		29/40
5K-4.002	29/43			6C4-10.102	Newspaper		29/40
5K-4.026	29/42			6C4-10.103	Newspaper		29/40
5M-3.001	29/27	29/34	29/42	6C4-10.104	Newspaper		29/40
5M-3.002	29/27	29/34	29/42	6C4-10.105	Newspaper		29/40
5M-3.003	29/27	29/34	29/42	6C4-10.106	Newspaper		29/40
5M-3.004	29/27		29/42	6C4-10.107	Newspaper		29/40
5M-3.005	29/27		29/42	6C4-10.108	Newspaper		29/40
5M-3.006	29/27	29/34	29/42	6C4-10.109	Newspaper		29/40
5M-3.007	29/27		29/42	6C4-10.110	Newspaper		29/40
5M-3.008	29/27		29/42	6C4-10.111	Newspaper		29/40
5M-3.009	29/27		29/42	6C4-10.112	Newspaper		29/40
5M-4.001	29/22		29/41	6C4-10.113	Newspaper		29/40
5M-4.002	29/22		29/41	6C4-10.200	Newspaper		29/40
5M-4.003	29/22		29/41	6C4-10.201	Newspaper		29/40
5M-4.004	29/22	29/33	29/41	6C4-10.202	Newspaper		29/40
5M-4.005	29/33	29/33	29/41	6C4-10.203	Newspaper		29/40
				6C4-10.204	Newspaper		29/40
				6C4-10.205	Newspaper		29/40
				6C4-10.206	Newspaper		29/40
				6C4-10.207	Newspaper		29/40
				6C4-10.208	Newspaper		29/40
				6C4-10.209	Newspaper		29/40
				6C4-10.210	Newspaper		29/40
				6C4-10.211	Newspaper		29/40
				6C4-10.212	Newspaper		29/40
				6C4-10.213	Newspaper		29/40
				6C5-8.001	Newspaper		29/41
				6C5-8.002	Newspaper		29/41
				6C5-8.003	Newspaper		29/41
				6C5-8.004	Newspaper		29/41
				6C5-8.006	Newspaper		29/41
				6C5-8.007	Newspaper		29/41
				6C6-2.028	Newspaper		29/42
				6C6-4.002	Newspaper		29/44
				6C6-4.003	Newspaper		29/44
				6C6-4.0031	Newspaper		29/44
				6C6-4.0032	Newspaper		29/44
				6C6-4.004	Newspaper		29/44
				6C6-4.009	Newspaper		29/44
				6C6-6.0055	Newspaper		29/38
				6C6-6.0057	Newspaper		29/38
				6C6-6.0058	Newspaper		29/38
				6C7-4.022	Newspaper		29/41
				6C8-4.018	29/43c		
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6-1	29/39c		29/44d				
6A-1.09422	29/42						
6A-1.09941	29/29		29/38				
6A-1.09981	29/42						
6A-4.0012	29/38						
6A-4.0021	29/42						
6A-6.080	16/30						
6A-10.024	29/29		29/38				
6C2-2.024	Newspaper		29/39				
6C2-2.02422	Newspaper		29/39				
6C4-4.011	Newspaper		29/41				
6C4-4.01101	Newspaper		29/41				
6C4-4.01103	Newspaper		29/41				
6C4-4.01113	Newspaper		29/41				
6C4-4.01115	Newspaper		29/41				
6C4-4.01121	Newspaper		29/41				
6C4-4.01129	Newspaper		29/41				
6C4-4.01131	Newspaper		29/41				
6C4-4.01141	Newspaper		29/41				
6C4-4.01145	Newspaper		29/41				
6C4-4.01147	Newspaper		29/41				
6C4-10.001	Newspaper		29/40				
6C4-10.002	Newspaper		29/40				
6C4-10.003	Newspaper		29/40				
6C4-10.004	Newspaper		29/40				



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14-15.002	28/13			15A-9.007	29/36	29/41	
14-15.003	26/46			15A-9.008	29/36	29/41	
14-15.0081	29/27 29/36		29/39	15A-9.009	29/36		
14-19.003	29/27 29/43		29/43w	15A-9.010	29/36	29/41	
14-19.004	29/27 29/43		29/43w	15A-9.011	29/36		
14-19.005	29/27 29/43		29/43w	15A-9.013	29/36		
14-19.006	29/27 29/43		29/43w	15A-9.014	29/36		
14-19.012	29/27 29/43		29/43w	ENVIRONMENTAL REGULATION			
14-19.013	29/27 29/43		29/43w	17-503.420	16/15		
14-19.016	29/27 29/43		29/43w	17-503.430	16/15		
14-19.017	29/27 29/43		29/43w	17-503.500	16/15		
14-19.019	29/27 29/43		29/43w	17-660.300	15/50	16/8	
14-40.020	29/42			17-671.100	15/32		
14-40.022	29/42			17-671.200	15/32		
14-96.0011	29/27	29/45		17-671.300	15/32		
14-96.002	29/27	29/45		17-671.310	15/32		
14-96.005	29/27	29/45		BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST			
14-96.007	29/27	29/45		18-21.003	29/5		29/43
14-98.005	29/31	29/38	29/44		29/13	29/23	
14-98.008	29/31	29/38	29/44	18-21.004	25/48	25/50	
14-114.0011	29/41				29/5	29/22	29/43
14A-1.001	29/43				29/5	29/24	29/43
14A-1.002	29/43			18-21.0051	29/5	29/23	
14A-1.003	29/43			18-21.009	29/5		29/43
14A-1.004	29/43			18-21.010	29/5		29/43
14A-1.005	29/43			18-21.011	29/5	29/22	29/43
14A-1.006	29/43			STATE BOARD OF ADMINISTRATION			
14A-1.007	29/43			19B-4.001	29/32		29/39
14A-1.008	29/43				29/44		
14A-1.009	29/43			19B-4.002	29/44		
14A-1.010	29/43			19B-4.003	29/44		
14A-1.011	29/43			19B-4.005	29/44		
14A-1.012	29/43			19B-8.001	29/44		
14A-1.013	29/43			19B-15.001	28/8		
HIGHWAY SAFETY AND MOTOR VEHICLES				19B-15.002	28/8		
15-1	29/33c		29/39d	19B-15.003	28/8		
15A-9.001	29/36			19B-15.004	28/8		
15A-9.002	29/36			19B-15.005	28/8		
15A-9.003	29/36	29/41		19B-15.006	28/8		
15A-9.004	29/36			19B-15.007	28/8		
				19B-15.008	28/8		
				19B-15.009	28/8		
				19B-15.010	28/8		
				19B-15.011	28/8		
				19B-16.002	29/44		
				19B-16.004	29/44		
				19B-16.005	29/44		

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20-15.002	28/46			29C-1.005	29/4		
20-15.003	28/46	29/10		CORRECTIONS			
20-36.002	29/33		29/40w	33ER03-1			29/29
20-36.006	29/33		29/40w	33ER03-2			29/29
20-39.003	29/33		29/42	33ER03-3			29/29
20-97.010	29/26		29/41	33ER03-4			29/29
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20-114.004	29/33		29/42	33ER03-9			29/29
20-114.005	29/33		29/42	33ER03-10			29/29
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21M-50.002	19/6c			33ER03-13			29/29
21M-50.003	19/6c			33ER03-14			29/29
21M-50.007	19/6c			33-2.001	23/25		
21M-50.009	19/6c			33-3.0081	25/35	25/43	
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25-6.003	29/36			33-3.0084	25/35	25/43	
25-6.04364	29/39			33-3.0085	25/35	25/43	
25-7.014	29/36			33-3.015	21/43		
25-7.015	29/36			33-3.018	17/14		
25-7.135	29/36			33-8.0142	19/43		
25-7.1351	29/36			33-22.003	17/12		
25-7.1352	29/36			33-22.009	17/12		
25-7.1353	29/36			33-22.011	17/12		
25-22.032	39/36			33-32.021	19/5		
25-30.140	29/40			33-32.022	19/5		
25-30.420	29/42			33-38.001	25/35	25/43	
25-30.445	29/45			33-38.003	25/35	25/43	
25-30.446	29/45			33-38.005	25/35	25/43	
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27E-4.001	20/11			33-38.009	25/35	25/43	
27E-4.002	20/11			33-38.010	25/35	25/43	
27E-4.003	20/11			33-38.011	25/35	25/43	
27E-4.004	20/11			33-38.012	25/35	25/43	
27E-4.005	20/11			33-203.101	29/39		
27E-4.006	20/11			33-203.201	29/34		29/42
27E-4.007	20/11			33-204.111	27/29		
27E-4.008	20/11			33-208.101	27/4	27/21	29/43
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28-18	28/22c		29/40d		29/36		29/43
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				33-208.507	26/16		
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33-209.104	29/33	29/43 29/44		WATER MANAGEMENT DISTRICTS			
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33-209.106	29/33			40C-1.002	29/28		29/45
33-210.101	28/21 29/36	28/40	29/43 29/43	40C-1.101	27/52		
33-302.103	29/41			40C-1.106	29/28		29/45
33-302.108	29/42			40C-1.135	29/28		29/45
33-302.109	29/40			40C-1.181	20/18		
33-401.401	29/31		29/39	40C-1.602	29/28		29/45
33-404.103	29/34		29/42	40C-1.603	29/28	29/39	29/45
33-404.201	29/34		29/42	40C-1.708	29/28		29/45
33-404.202	29/34		29/42	40C-1.721	29/28		29/45
33-501.301	29/36	29/43		40C-1.801	29/28		29/45
33-501.302	29/39	29/44		40C-1.900	29/28		29/45
33-508.101	28/13		29/41w	40C-2.041	29/28		29/45
33-601.230	29/19			40C-2.051	29/28	29/39	29/45
33-601.401	29/31		29/38	40C-2.321	29/28		29/45
33-601.602	26/36	26/49 27/3	29/43 29/43	40C-3.0321	29/45		
	29/36		29/43	40C-3.455	29/28		29/45
33-601.605	29/39	29/44		40C-3.492	29/28		29/45
33-601.713	29/32		29/39	40C-3.525	29/28		29/45
33-601.714	29/32		29/39	40C-3.531	29/28		29/45
33-601.715	29/32		29/39	40C-3.532	29/28		29/45
33-601.716	29/32		29/39	40C-4.031	20/18	21/39	29/45
33-601.717	29/32		29/39	40C-4.051	29/28		29/45
33-601.718	29/32		29/39	40C-4.091	29/28		29/45
33-601.718	29/32		29/39	40C-4.201	29/28		29/45
33-601.719	29/32		29/39	40C-4.381	20/18	21/39	29/45
33-601.720	29/32		29/39		29/28		29/45
33-601.725	28/4 29/45	28/9		40C-4.461	29/28		29/45
				40C-4.471	29/28		29/45
33-601.727	29/32		29/39	40C-4.481	29/28		29/45
33-601.729	29/32		29/39	40C-4.751	29/28		29/45
33-601.731	29/32		29/39	40C-8.031	29/38		29/45
33-601.732	29/32		29/39	40C-21.331	29/28		29/45
33-601.736	29/32		29/39	40C-21.391	29/28		29/45
33-601.737	29/32		29/39	40C-24.020	29/28		29/45
33-601.738	26/48	27/38		40C-40.031	29/28		29/45
33-601.820	29/40			40C-40.351	29/28		29/45
33-602.101	29/30		29/38	40C-40.381	29/28		29/45
33-602.203	29/33	29/38	29/45	40C-41.033	29/28		29/45
33-602.205	29/39	29/44		40C-42.022	29/28		29/45
33-602.223	29/37		29/44	40C-42.033	29/28		29/45
				40C-44.031	29/28		29/45
				40C-44.071	29/28		29/45
				40C-400.201	21/48	21/48	
34-7.010	29/31		29/40	40D-0.201	20/3		
				40D-1.202	19/36	19/42	
				40D-2.091	22/48		
				40D-2.301	22/48		
38E-106.401	24/1			40D-2.331	20/48		
38F-8.055	22/4			40D-3.037	29/44		
38I-60.200	20/7			40D-3.502	29/44		
38K-1.0045	23/27			40D-3.507	29/44		

COMMISSION ON ETHICS

LABOR AND EMPLOYMENT SECURITY

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40D-6.521	24/50			MARINE FISHERIES COMMISSION			
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40D-8.624	29/45			46-21.007(1)	18/2		
40D-8.6240	23/38	24/48		46-24.003	21/27		
40D-45.341	19/42	20/3		46-37.001	20/18		
40D-602.221	28/47			46-37.002	20/18	20/25	
40E-1.510	20/18	21/36		46-37.003	20/18		
40E-1.603	19/4c			46-37.004	20/18	20/25	
40E-1.606	19/4c			46-37.005	20/18		
40E-1.607	19/43			46-37.006	20/18	20/25	
40E-1.612	20/18	21/36		46-42.003	20/35		
40E-1.614	20/18	21/36		46-47.007	22/27		
40E-1.669	19/4c			LOTTERY			
40E-3.032	28/5			53ER03-33			29/28
40E-3.0391	28/5			53ER03-34			29/28
40E-4.091	20/18	21/36		53ER03-35			29/28
40E-7.523	28/39			53ER03-36			29/28
40E-7.532	28/39			53ER03-37			29/30
	29/43c			53ER03-38			29/30
40E-7.639	22/23	22/37		53ER03-39			29/33
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40E-601.314	26/9			53ER03-42			29/35
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42JJ-1.002	28/44			53ER03-47			29/38
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42LL-1.001	29/28		29/39	53ER03-49			29/39
42LL-1.002	29/28		29/39	53ER03-50			29/42
42LL-1.003	29/28		29/39	53ER03-51			29/42
42MM-1.001	29/31		29/44	53ER03-52			29/44
42MM-1.002	29/31		29/44	53ER03-53			29/44
42MM-1.003	29/31		29/44	53ER03-54			29/44
42NN-1.001	29/31		29/44	53ER03-55			29/45
42NN-1.002	29/31		29/44	53ER03-56			29/45
42NN-1.003	29/31		29/44	53ER03-57			29/45
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58A-2.028	29/45				29/33c		29/44d
58A-6.015	29/45			59G-4.320	29/33		
58A-6.016	29/45			59G-5.020	29/26	29/33	29/40
58A-14.003	29/45			59G-6.010	29/33		
58A-14.0061	29/45			59G-6.080	29/32	29/44	
58A-14.008	29/45			59G-8.200	29/30	29/42	
58L-2.001	29/30		29/42		29/32	29/40	
58L-2.005	29/30		29/42	59G-8.201	29/30		
58L-2.007	29/30	29/36	29/42	59G-8.202	29/30		
58L-2.009	29/30		29/42	59G-8.203	29/30		
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59-1	29/8c			59G-8.205	29/30		
	29/35c			59G-8.206	29/30		
59A-2.024	20/1			59G-8.207	29/30		
59A-3.170	21/20			59G-8.208	29/30		
59A-3.180	21/3			59G-8.209	29/30		
59A-3.2055	22/52	23/10		59G-8.210	29/30		
59A-3.255	29/36			59G-8.211	29/30		
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59A-7.020	20/25			59G-12.003	29/41		
59A-12.0073	29/28	29/42		59G-12.004	29/41		
59A-12.020	26/32	26/36		59G-12.005	29/41		
59A-18.003	26/25			59G-208.101	27/4	27/16	
59B-7.020	19/30			59H-1.00352	26/3	26/17	
59B-7.021	19/30			59H-1.0065	29/38		
59B-7.022	19/30			59M-3.005	21/25		
59B-7.023	19/30			59O-2.002	22/34	24/49	
59B-7.024	19/30			59O-2.003	22/34	24/49	
59B-7.025	19/30			59O-3.002	22/34	24/49	
59B-7.026	19/30			59O-9.003	22/34	24/48	
59B-7.027	19/30			59Q-9.002	20/39		
59B-7.028	19/30			59R-62.010	21/5		
59B-7.029	19/30			59R-62.040	21/5		
59C-1.0355(4)(d)	27/49c		29/43d	59T-11.013	23/22	23/35	
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59E-1.002	20/27			59T-15.002	23/22	23/35	
59E-1.003	20/27			59T-16.001	23/22	23/35	
59E-1.004	20/27			59T-16.002	23/22	23/35	
59E-1.005	20/27			59U-11.019	20/51	21/7	
59E-1.006	20/27			59U-14.002	23/24	23/35	
59E-1.007	20/27			59V-3.007	20/34	20/48	
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60Y-2.004	29/35	29/45		60Z-1.026	29/10		
60Y-2.005	29/35	29/45			29/18c		29/43d
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60Y-2.011	29/35			61ER03-5			29/37
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60Y-4.006	29/35			61A-7.004	29/41		
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60Y-4.023	29/35			61B-32.001	21/30		
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61J1-7.005	28/41	28/43		62-40.410	28/51		
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61J2-3.009	29/11	29/39		62-40.450	28/51		
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61J2-3.011	29/44			62-40.473	28/51		
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61J2-3.020	29/11	29/39		62-40.475	28/51		
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61J2-4.007	29/44			62-40.520	28/51		
61J2-4.010	29/44			62-40.531	28/51		
61J2-5.016	28/22	29/40		62-40.540	28/51		
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61J2-14.010	29/45				29/35c		
61J2-14.011	29/44			62-302.540	27/52		
61J2-14.012	29/44				29/12		
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61J2-17.012	28/3	28/17			29/35c		
61J2-24.001	27/34		29/39w		29/35c		
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62-561.100	24/52			62R-7.026	21/17		
62-604.100	29/36		29/44	62R-7.028	21/17		
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62-604.130	29/36		29/44	62R-7.032	21/17		
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62-604.300	29/36		29/44				
62-604.400	29/36		29/44				
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62-712.300	21/34			64B1-3.009	29/42		
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62-712.410	21/34			64B1-5.001	29/31		29/38
62-712.420	21/34			64B1-5.002	29/31		29/38
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62-712.440	21/34			64B1-5.005	29/31		29/38
62-712.450	21/34			64B1-5.006	29/31		29/38
62-712.460	21/34			64B1-5.007	29/31		29/38
62-712.500	21/34			64B1-5.008	29/31		29/38
62-712.800	21/34			64B1-5.009	29/31		29/38
62-712.810	21/34			64B1-6.002	29/36c		
62-712.900	21/34			64B1-6.005	29/36c		
62-730.050	23/7			64B1-6.006	29/36c		
62-730.220	28/24			64B1-6.007	29/36c		
62-761.891	24/14			64B1-6.008	29/36c		
62-771.300	21/52			64B1-6.009	29/36c		
62-775.500	21/52	22/15		64B1-6.010	29/36c		
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64B8-30.011	29/30		29/38	64B19-18.0025	28/33	29/39	
64B8-30.012	29/23c					29/41	
	29/23c			64B20-2.002	25/45	26/30	
64B8-51.001	29/43			64B20-3.003	29/37		29/44
64B8-52.004	29/16	29/18		64B20-4.002	29/42		



67-51.003	29/37			68B-35.003	29/17	29/38	29/41
67-51.004	29/37	29/43		68B-35.004	29/17	29/38	29/41
67-51.005	29/37	29/43		68B-35.005	29/17	29/38	29/41
67-51.006	29/37			68C-22.001	29/32		
67-51.007	29/37	29/43		68C-22.002	29/32		
				68C-22.004	29/32		
FISH AND WILDLIFE CONSERVATION COMMISSION				68DER03-2			29/37
68-1	29/30c		29/39d	FINANCIAL SERVICES			
68A-9.004	29/30	29/38	29/41				
68A-15.005	29/30		29/39	69K-5.0015	29/39	29/45	
68A-15.062	29/31		29/39	69K-5.0035	29/39	29/45	
68A-15.065	29/30	29/38	29/41	69K-5.004	29/39	29/45	
68A-20.005	29/42			69K-5.006	29/39	29/45	
68A-24.003	28/17			69K-5.008	29/39	29/45	
68A-24.004	28/17			69K-6.005	29/44		
68A-24.006	28/17			69K-6.007	29/44		
68A-25.003	29/42			69K-7.006	29/39	29/45	
68A-27.003	29/42			69L-6.012	29/42		
68A-27.004	29/30		29/39	69L-6.021	29/42		
	29/42			69L-7.020	29/45		
68A-27.005	29/30		29/39	69L-7.501	29/45		
	29/42						
68B-13.008	27/31	26/13					
68B-35.002	29/17	29/38	29/41				