

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE TITLE:** The Excellent Teaching Program  
**RULE NO.:** 6A-10.060  
**PURPOSE AND EFFECT:** The purpose of this rule development is to clarify the provisions for payment of the fee subsidies, incentives and bonuses to teachers provided for by the Dale Hickam Excellent Teaching Program. The effect of this rule is to provide an appropriate framework for payment of the fee subsidies, incentives and bonuses to teachers provided for by the Dale Hickam Excellent Teaching Program.

**SUBJECT AREA TO BE ADDRESSED:** Provisions for payment of subsidies, incentives and bonuses to teachers.

**SPECIFIC AUTHORITY:** 1012.72 FS.

**LAW IMPLEMENTED:** 1012.72 FS.

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

**TIME AND DATE:** 10:00 a.m., February 3, 2004

**PLACE:** Rm. 1703-07, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Department is asked to advise the Department at least 48 hours before such proceeding by contacting: Lynn Abbott, (850)245-9661. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Betty Coxe, K-12 Deputy Chancellor, Department of Education, 325 West Gaines Street, Rm. 514, Tallahassee, Florida 32399-0400, (850)245-0420

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

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Florida Highway Patrol**

**RULE CHAPTER TITLE:** Speed Measuring Devices  
**RULE CHAPTER NO.:** 15B-2

**RULE TITLES:** Approval Requirements  
**RULE NOS.:** 15B-2.007

Requirements for Type Acceptance 15B-2.008

Minimum Design Criteria for Radar Units 15B-2.0082

Test to Determine Speed Accuracy of Doppler Radar Devices 15B-2.009

Tests to Determine Speed Accuracy of Visual Average Speed Computer Devices 15B-2.010

Tests to Determine Speed Accuracy of Average Speed Calculators 15B-2.0101

Certified Operator of Visual Average Speed Computer Device 15B-2.0102

Tests to Determine Accuracy of Speedometer Devices 15B-2.011

Tests to Determine Accuracy of Time Measurement Devices 15B-2.012

Approved Speed Measuring Devices 15B-2.013

Minimum Design Criteria for Laser Speed Measurement Devices 15B-2.014

Checks to Determine Speed and Distance Accuracy of Laser Speed Measuring Devices 15B-2.015

Tests to Determine Accuracy of Laser Speed Measuring Devices 15B-2.016

**PURPOSE AND EFFECT:** The purpose of the proposed rule action is to amend the current rule to revise operator training requirements; revise requirements for type acceptance; re-designate visual average speed devices as Average Speed Calculators (ASC); revise testing accuracy, and operation requirements for ASC, as well as, radar and laser devices; add provisions for distance measurement in using ASE; revise speedometer testing and provide such testing for motorcycles; allow accuracy tests of electronic stop watches to be performed by certified electronics technicians meeting the requirements of paragraph 15B-2.009(1)(a), F.A.C.; revise test speeds for radar bench tests; permit radar daily tests to be performed with tuning forks meeting manufacturer’s specifications; update list of approved speed measuring devices; amend minimum design criteria for LSMD and correct a typographical error in paragraph 15B-2.016(2)(b), F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule action allows accuracy tests of stop watches used by the department to be performed by certified electronics technicians meeting the requirements of paragraph 15B-2.009(1)(a), F.A.C., as well as, jewelers and watch repair-smiths. This proposed rule action also updates the list of approved speed measuring devices approved by the department for use in this State to include the recently approved radar units and laser speed measuring devices. “VASCAR” is re-designated a “ASC” with attendant changes to testing and operator certifications for such units. Form HSMV 61070 is revised to add higher target speeds. The daily tuning fork test is revised to permit test of a tuning fork meeting manufacturer’s specifications. Revisions are made to clarify sight testing for laser devices. The reference to an erroneous sub-section in paragraph 15B-2.016(2)(b), F.A.C., is corrected. Operator training; type acceptance; accuracy checks, bench tests, minimum design criteria are revised for speed measurement devices (SMD).

SPECIFIC AUTHORITY: 316.1905 FS.

LAW IMPLEMENTED: 316.1905, 316.1906 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: Lt. James D. Wells, Jr., Bureau of Law Enforcement Support Services, Division of Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, Room A315, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)488-5799

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

15B-2.007 Approval Requirements.

(1) All speed measuring devices to be used in obtaining evidence of motor vehicle speeds for use in any court in the State of Florida shall be of a type approved by the Department of Highway Safety and Motor Vehicles prior to their use.

(2) In addition, evidence of the speed of a vehicle measured by any radar speed measuring device (RSMD), ~~or~~ laser speed measuring device (LSMD) or Average Speed Calculator (ASC), is inadmissible in any proceeding with respect to an alleged violation of provisions of law regulating the lawful speed of vehicles unless such evidence of speed is obtained by a law enforcement officer who:

(a) 1. Operators of RSMD's must have ~~Has~~ satisfactorily completed the RSMD training course or speed measurement device (SMD) course established by the Criminal Justice Standards and Training Commission pursuant to s. 943.17, F.S. ~~In addition, operators of a LSMD must complete the LSMD operator's course pursuant to s. 943.17, F.S.~~

2. Operators of LSMD's must have satisfactorily completed the LSMD training course or speed measurement device (SMD) course established by the Criminal Justice Standards and Training commission pursuant to s. 943.17, F.S.

3. Beginning July 1, 2004 new operators of ASC devices must complete the ASC training course or speed measurement device (SMD) course established by the Criminal Justice Standards and Training Commission pursuant to s. 943.17, F.S. Operators of ASC devices similar to the VASCAR and Kustom Tracker must complete additional clocks using each of their five basic clocking methods.

4. After July 1, 2004, new operators of RSMD's, LSMD's and ASC's must complete the Speed Measurement Device training course established by the Criminal Justice Standards and Training Commission pursuant to s. 943.17, F.S.

(b) Has made an independent visual determination that the vehicle is operating in excess of the applicable speed limit.

(c) Has written a citation based on evidence obtained from a RSMD or LSMD when conditions permit the clear assignment of speed to a single vehicle.

(d) Is using a RSMD which has no automatic speed locks and no audio alarms, unless disconnected or de-activated. This requirement is not applicable to a LSMD.

(e) Is operating a RSMD with audio Doppler engaged. This requirement is not applicable to a LSMD.

(f) Is using a RSMD, ~~or~~ LSMD, ASC or other SMD that meets the minimum design criteria set forth in these rules.

(g) ~~Who~~ is operating a RSMD tested according to Rule 15B-2.009, F.A.C., or a LSMD tested according to Rule 15B-2.016, F.A.C.

Specific Authority 316.1905, 316.1906 FS. Law Implemented 316.1905, 316.1906, 943.17 FS. History--New 9-11-78, Amended 7-12-82, Formerly 15B-2.07, Amended 11-16-92, 10-18-94, \_\_\_\_\_

15B-2.008 Requirements for Type Acceptance.

(1) Manufacturers of Doppler radar speed measuring devices (RSMD) shall submit a copy of a Federal Communications Commission (FCC) type acceptance certificate and other supporting documentation and components as requested by the Department, to the Department for each model to be used in Florida. The device must also appear on the current International Association of Chiefs of Police (IACP) consumer products list, which is incorporated by reference. The IACP criteria (Model Minimum Performance Standards identified in subsection 15B-2.0082(1), F.A.C.) and listing may be obtained by contacting that office at 515 North Washington Street, Alexandria, Virginia 22314, 1(800)843-4227. The absence of an "F" designation on the consumer product list does not disqualify the model for use in Florida. Copies of this material may be obtained by contacting the Department of Highway Safety and Motor Vehicles, Division of Florida Highway Patrol, ~~Telecommunications Administrator~~, Neil Kirkman Building, Tallahassee, Florida 32399-0500.

(2) Manufacturers of ~~visual~~ Average Speed Calculators (ASC) devices shall submit a report by an independent testing laboratory certifying that each model meets the following conditions:

(a) ~~Determines~~ Compute the speed of a ~~checked~~ vehicle ~~after measuring the distance~~ between any two points on a highway traveled by the vehicle regardless of whether the distance is input with an ASC measured distance or the distance is known and input by the ASC operator, and the time required for the vehicle to travel that distance.

~~(b) Use solid state digital techniques for distance and the time storage, and for speed computation.~~

~~(b)(e)~~ Display the speed in digital characters at least 0.4 inch in height.

~~(c)(d)~~ The calculator ~~Computers~~ shall input distance (whether by ASC measurement or by operator entry of a known distance) and measure time and distance in increments

for speed computation which shall give an accuracy of plus or minus two (2) miles per hour over an indicated speed range of twenty-five (25) to one hundred ninety (100 90) miles per hour with ambient temperatures of twenty (20) to one hundred (100) degrees fahrenheit.

(d)(e) Have a distance storage capacity of at least one ~~five~~ (1) ~~(5)~~ miles.

(e)(f) Have a time storage capacity of at least five ~~six~~ (5) ~~(6)~~ minutes.

(f)(g) Reuse a single distance measurement with repeated time input measurements.

(g)(h) Display an error signal and not operate if either the distance or storage register receives more than one input after being reset to zero.

(h)(i) Be suitable for installation or use in a variety of makes and models of vehicles or aircraft normally used by law enforcement agencies.

(3) Motor vehicle speedometers shall have a certificate indicating that the device was tested by a speedometer testing shop according to Rule 15B-2.011, F.A.C.

(4) Stop watches shall have a certificate indicating that the device was tested ~~by a jeweler or watch repair smith~~ according to Rule 15B-2.012, F.A.C.

(5) Laser speed measuring devices (LSMD) that meet the criteria set forth in Rule 15B-2.014, F.A.C., constitute a type of speed measuring device that may be used in this state.

Specific Authority 316.1905 FS. Law Implemented 316.1905 FS. History—New 9-11-78, Formerly 15B-2.08, Amended 11-16-92, 10-18-94, \_\_\_\_\_.

#### 15B-2.0082 Minimum Design Criteria for Radar Units.

(1) Radar speed measuring devices shall meet the design criteria as set forth in Chapter 3, Subpart A (s. 1221.1-1221.4 and Subpart B (s. 1221.11-1221.24) of the National Highway Traffic Safety Administration Technical Report, January 1994, D.O.T. HS 808-69, entitled, "Model Minimum Performance Specifications for Police Traffic Radar Devices," which is incorporated by reference. Copies of this material may be obtained by contacting the Department of Highway Safety and Motor Vehicles (DHSMV), Division of Florida Highway Patrol, ~~Telecommunications Administrator~~, Neil Kirkman Building, Tallahassee, Florida, 32399-0500, or the Office of Law Enforcement Standards, c/o National Institute of Standards and Technology, 100 Bureau Drive, Stop 8102, Gaithersburg, Maryland 20899-08102 National Technical Information Service, Springfield, Virginia, 22161.

(2) All radar units used in this State on or after January 1, 1995, shall be designed to operate in one or both of the following frequency ranges as assigned by the Federal Communication Commission for operation of Doppler radar radiolocation units.

24.050-24.250 GHz (K – Band) (Common)  
33.400-36.000 GHz (Ka – Band) Referrals)

The radar must have a doppler audio operating in the range 300 Hz to 4.0 KHz.

(3) Antenna beam width, defined as the total included angle between 3 dB points on the main lobe of the emitted farfield microwave power beam in any axis perpendicular to the centerline of beam propagation, shall not exceed 12 degrees plus or minus 1.5 degrees for manufacturing tolerance and measurement error. Side lobes, as defined in s. 1221.4 of the Model Minimum Performance Specifications for Police Traffic Radar shall be of relative gain of at least 20 dB less than the main antenna beam.

(4) All radar units furnished for vehicular-mounted use which have antennas designed to permit external mounting, shall be weather resistant.

(5) Each radar unit shall be designed to incorporate no speed lock function, manual or automatic, for patrol or target speeds displayed on the primary readout; a secondary target speed window, capable of manual lock-in target speed only, is permissible providing that lock-in of the secondary target speed window display has no effect on the continuous tracking of target and patrol speeds indicated by the primary readout and provided that the secondary target speed window display, if furnished, is automatically cleared within a period not to exceed fifteen (15) minutes after locking of any speed indication or when reconnected to the primary readout element. The secondary target speed window display, if furnished, must exactly duplicate the target speed on the primary readout at the instant of manual lock-in and must have its own lock-release control for clearing prior readings when the operator does not connect the secondary target speed window display.

(6) Each radar unit, ~~excluding hand held radar~~, shall be equipped with a control capable of adjusting its nominal range of acquiring and displaying the a speed reading of a full-size automobile ~~target~~ between 300 feet minimum and 3,000 feet maximum from the radar antenna.

This range control is optional on a handheld radar unit.

(7) Signal Processing Channel Sensitivity.

(a) Stationary Mode Target Channel Sensitivity. When the radar unit is operated in the stationary mode, its signal processing channel sensitivity shall not vary more than 10 dB for targets traveling at speeds of 35 to 90 mph (56 to 144 km/h) nor more than 5 dB for targets traveling at speeds of 60 to 90 mph (96 to 144 km/h).

(b) Moving Mode Target Channel Sensitivity. When the radar unit is operated in the moving mode at 25 mph (40 km/h), its signal processing channel sensitivity shall not vary more than 10 dB for targets traveling at speeds of 40 to 90 mph (64 to 144 km/h). When operated at 50 mph (80 km/h), its sensitivity shall not vary more than 5 dB for targets traveling at speeds of 60 to 90 mph (96 to 144 km/h).

(8) Patrol channel dynamic range; for moving mode operation. The patrol channel shall be capable of accurately displaying patrol car speed within plus or minus one (1) mph

(1.6 km/h) or less from 15 mph to 70 mph (24 to 112 km/h) or greater and of maintaining proper performance while the patrol car changes speed at a rate of up to 3 mph (4.8 km/h) per second.

(9) The internal circuit test function required by s. 1221.21(d), F.S., of the Model Minimum Performance Specifications for Police Traffic Radar shall operate automatically upon turn-on of the radar unit, and automatically thereafter at intervals not exceeding fifteen minutes; ~~the internal test function must be performed using two separate and independent frequency sources, only one of which may be employed in normal target or patrol channel signal processing operation. The second frequency source need not be excluded from use in computer and microprocessor operations other than signal counting or signal timing.~~ Failure of the radar unit to display correctly any reading produced by the internal test function shall inhibit any further target signal processing and shall provide a visible display indicating this condition to the operator. A control switch or pushbutton shall be provided for operator use to initiate the internal test function at any time between automatic test sequences.

(10) For the purpose of avoiding possible erroneous target speed displays caused by radio frequency interference (RFI) signals in excess of those specified in s. 1221.22(c) and (d), F.S., of the Model Minimum Performance Specifications for Police Traffic Radar Devices, each radar unit will be equipped with a RF sensor capable of detecting the presence of such interfering RF signals and of inhibiting any speed display when such signals are present.

(11) To accommodate digital counting circuits and to assure that no target vehicle driver is penalized, target channel circuits for moving and stationary operation shall be designed to truncate, or round-off, to the next lower digit. In the moving mode operation, the radar counting circuits shall round-off to the next lower digit in all computations.

(12) Power density shall not exceed applicable RF emission standards recognized by the American National Standards Institute C95.1, which is incorporated by reference. The actual reading shall be recorded on form HSMV 61070 (Rev. 7/03 9/94), incorporated by reference, ~~and Blank forms are obtainable~~ by contacting the Department at the address described in subsection 15B-2.0082(1)(2), F.A.C.

(13) When an Average Speed Calculator (ASC) is installed and used as a separate feature of a RSMD, the ASC feature must be certified separately and in addition to the RSMD under paragraph 15B-2.008(2)(d), F.A.C.

Specific Authority 316.1906 FS. Law Implemented 316.1906 FS. History—New 7-12-82, Formerly 15B-2.082, Amended 1-1-90, 10-18-94, \_\_\_\_\_.

15B-2.009 Test to Determine Speed Accuracy of Doppler Radar Devices.

(1)(a) All RSMD's used in this state shall be subject to periodic bench tests at intervals not to exceed six months, to be conducted by an electronic technician who has a Federal Communications Commission, General Radiotelephone Operator License or a certification issued by one of the following:

1. Association of Public-Safety Communications Officials-International (APCO);
2. Personal Communications Industries Association (PCIA), formerly known as National Association of Business and Educational Radio (NABER); or
3. National Association of Radio and Telecommunications Engineers (NARTE).

(b) Only the most recent six (6) months test certificate is required in order to establish the presumption available under s. 316.1905(3)(b), F.S. Tests will include transmitter frequency, display response to known antenna input signals for simulated target speeds over a range of speeds from 15 mph to 100 mph and patrol speeds over a range of speeds from 15 mph to 70 mph, the operation of all controls, tests for recertification of ~~the~~ the ~~at~~ tuning fork(s) meeting furnished by the manufacturer's specifications, radio frequency interference, low supply voltage, and antenna power density. These revised tests shall become effective after June 30, 2004 ~~October 18, 1994~~, upon the expiration of each radar unit's prior six-month certification period. Each test shall be recorded on Form HSMV 61070 (Rev. 7/03 9/94) which is incorporated by reference. Blank forms are and, which is available by contacting the Department at the address described in subsection 15B-2.0082(1)(2), F.A.C. As a condition of purchase, manufacturers shall be required to make known to the purchaser the availability and location of manufacturer-supported test facilities to accomplish the required tests.

(2) Prior to an operator using a radar for enforcement activity and subsequent to the last enforcement action taken using an RSMD, but prior to the end of each shift in which the RSMD was used at the end of the operator's shift the following accuracy checks shall be made.

(a) An internal accuracy check shall be performed, and the check is passed only if the proper numbers recommended by the manufacturer appear exactly on the radar readout.

(b) The external tuning fork accuracy check shall be made with certified tuning fork(s) (plus or minus one (1) mile per hour tolerance) meeting furnished by the manufacturer's specifications.

(c) A written log of each internal and external tuning fork accuracy check(s) shall be maintained. Log forms may be of a design suitable to the particular needs of the operator's jurisdiction.

(3) When an Average Speed Calculator (ASC) is installed and used as a separate feature of a RSMD, the ASC feature must be certified separately and in addition to the RSMD under paragraph 15B-2.008(2)(d), F.A.C.

Specific Authority 316.1905 FS. Law Implemented 316.1905, 316.1906 FS. History—New 9-11-78, Amended 7-12-82, Formerly 15B-2.09, Amended 6-12-89, 1-1-90, 10-18-94, 10-2-95, \_\_\_\_\_.

15B-2.010 Tests to Determine Speed Accuracy of Visual Average Speed Computer Devices.

Specific Authority 316.1905 FS. Law Implemented 316.1905 FS. History—New 9-11-78, Formerly 15B-2.10, Amended 10-18-94, Repealed \_\_\_\_\_.

15B-2.0101 Test to Determine Speed Accuracy of Visual Average Speed Calculators Computer Devices Which Have a Self Contained Time Base.

Tests to determine the accuracy of visual Average Speed Calculators computer devices which have a self contained time base shall be performed as follows:

(1) This subsection only pertains to ground vehicles which are inputting the distance used for speed measurement by use of the ASC distance measuring feature (if so equipped):

(a) A distance of The operator shall measure 1/2 mile (2640 feet) or alternatively 1/4 mile (1320 feet) one quarter of a mile, shall be measured using a steel tape, and mark each end of the 1320 feet distance marked so that it may be clearly identified from a moving vehicle or aircraft in either direction.

(b)(2) Vertical lines may be placed on left and right front door windows of the speed computer equipped vehicle, or the operator may use door lock knobs or other convenient visual reference points on his/her car.

(c)(3) The operator will drive through the measured course with both switches turned "on" when lined up with the reference point at the beginning of the course, and turned "off" when similarly lined up at the end of the course. Operator pushes the distance recall button if so equipped, and reads displayed distance in the speed timing unit. If this distance is within the acceptable tolerance of 1/2 of 1%, the unit is in calibration.

Example: On a quarter of a mile course (0.2500) the reading should be between 0.2512 and 0.2488.

(d)(4) Should the error be greater than 1/2 of 1% the operator should recalibrate his unit in accordance with the manufacturer's instructions and repeat the procedure as outlined in Paragraph (3).

(2) A distance of 1/2 mile (2640 feet) should be input either by measurement or operator input. The method of input shall be consistent with the method to be used during the speed measurement. For example, if the distance at the enforcement site will use a distance measured with the ASC, then this

calibration should be performed in a similar fashion. The timing device should be allowed to run for 30 seconds. A speed of 60 mph should be displayed. The test should be repeated with a time input of 20 seconds. A speed of 90 mph should be displayed. The speed displayed must be within +/- 2 m.p.h. for the unit to be considered accurate.

(3) As an alternative to (2) above, a distance of 1/4 mile (1320 feet) may be used. The distance should be input either by measurement or operator input. The method of input shall be consistent with the method to be used during the speed measurement. For example, if the distance at the enforcement site will use a distance measured with the ASC, then this calibration should be performed in a similar fashion. The timing device should be allowed to run for 15 seconds. A speed of 60 mph should be displayed. The test should be repeated with a time input of 10 seconds. A speed of 90 mph should be displayed. The speed displayed must be within +/- of 2 m.p.h. for the unit to be considered accurate.

(4)(5) Verification of calibration must be checked each day before any enforcement activity arrests are made with the device. The results of the verification test shall be recorded and retained for further reference.

(5)(6) If so equipped, an The internal time base will be checked the same as a stop watch under Rule 15B-2.012, F.A.C. every six months by use of a certified stop watch. Satisfactory test results will be within 1/2 of 1%.

Specific Authority 316.1905, 321.02 FS. Law Implemented 316.1905(3)(a) FS. History—New 6-15-82, Formerly 15B-2.101, Amended 10-18-94, \_\_\_\_\_.

15B-2.0102 Certified Operator of Visual Average Speed Computer Device.

Specific Authority 316.1905, 321.02 FS. Law Implemented 316.1905(3)(a) FS. History—New 6-15-82, Formerly 15B-2.102, Amended 10-18-94, Repealed \_\_\_\_\_.

15B-2.011 Tests to Determine Accuracy of Speedometer Devices.

Motor vehicle speedometer devices shall be tested by a speedometer testing shop or a motor vehicle repair shop prior to being put into use for speed enforcement and it shall be retested by a speedometer testing shop or a motor vehicle repair shop not less than once each six (6) months thereafter. All speedometer certifications shall be performed using a calibrated wheel dynamometer on which the wheels driving the speedometer are placed. Certain motorcycles which have the speedometer driven by the front wheel may require the use of a powered dynamometer. The calibration of a speedometer head alone, without the head being driven by the wheel from which it measures speed, will not be acceptable for the purposes of this rule. After September 1, 1994, all tested speedometers shall read within plus or minus three (3) mph of the actual reading and be tested by a speedometer shop or motor vehicle repair shop registered with the Florida Department of Agriculture and Consumer Services as a motor vehicle repair

shop according to ss. 559.901-559.9221, F.S. The person making the tests shall issue a certificate dated, signed and witnessed showing the degree of accuracy. Only the most recent six (6) month test certificate is required in order to establish the presumption available under s. 316.1905(3)(b), F.S.

Specific Authority 316.1905, 321.02 FS. Law Implemented 316.1905(3)(a) FS. History--New 9-11-78, Formerly 15B-2.11, Amended 11-16-92, 10-18-94,

15B-2.012 Tests to Determine Accuracy of Time Measurement Devices Stop Watches.

(1) Stop watches and analog measurement devices used in calculating speeds of motor vehicles shall be tested by a jeweler or watch repair-smith prior to being put into use and it shall be retested by a jeweler or watch repair-smith not less than once each six (6) months thereafter. The jeweler or watch repair-smith shall issue after each test, a certificate dated, signed and witnessed by the jeweler or watch repair-smith showing the degree of accuracy. Only the most recent six (6) month test certificate is required in order to establish the presumption available under s. 316.1905(3)(b), F.S.

(2) Electronic stop watches or electronic time based average speed calculators may be tested by a certified electronics technician meeting the requirements of paragraph 15B-2.009(1)(a), F.A.C. in the manner and within the time period described in sub-section (1).

Specific Authority 316.1905 FS. Law Implemented 316.1905 FS. History--New 9-11-78, Formerly 15B-2.12, Amended 11-16-92, 10-18-94,

15B-2.013 Approved Speed Measuring Devices.

The following speed measuring devices have been approved for use in this State by the Department pursuant to this rule Chapter.

(1) Radar units acquired for use in this State after August 1, 1982, are listed below. Additional radar units will be approved by the Department based on conformance to these rules. Evidence of approval of additional units shall be by a Certificate of Approval Form HSMV 60013 (Rev. 7/03), which is available by contacting the Florida Highway Patrol Telecommunications Administrator, Neil Kirkman Building, Tallahassee, Florida 32399-0500, or by disseminating the listing of the additional units on the Florida Crime Information Center (FCIC) computer system, or by listing on the Division of Florida Highway Patrol website.

(a) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER;

(b) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER DUAL;

(c) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER DUAL SL;

(d) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER DUAL DSR;

(e) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER BASIC – stationary and moving;

(f)(d) Broderick Enforcement Electronic – Model BEE-36;

(g)(e) CMI/MPH Industries, Inc., – Model Python;

(h)(f) Decatur Electronics, Inc., – Model MVF 724;

(i)(g) Decatur Electronics, Inc., – Model KF-1;

(j)(h) Decatur Electronics, Inc. – Model Genesis-I;

(k) Decatur Electronics, Inc. – Model Genesis – II;

(l)(i) Decatur Electronics, Inc., – Genesis Handheld;

(m) Decatur Electronics, Inc., – Model Genesis VP;

(n) Decatur Electronics, Inc., – Model Genesis VP – Directional;

(o)(j) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model KR-10SP-F, Model KR-10SP;

(p)(k) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model FALCON-F, Model FALCON;

(q)(l) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model TROOPER-F, Model TROOPER;

(r)(m) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model HAWK;

(s)(n) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model PRO-1000, Model PRO-1000DS;

(t)(o) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Eagle K-Band;

(u)(p) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Eagle KA-Band;

(v)(q) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Eagle Plus K-Band;

(w)(r) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Eagle Plus KA-Band;

(x)(s) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Silver Eagle K-Band;

(y)(t) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Silver Eagle KA-Band;

(z)(u) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Golden Eagle K-Band;

(aa)(v) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Golden Eagle KA-Band;

(bb) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Golden Eagle Plus KA-Band;

(cc)(w) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model HR-12;

(dd) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Talon;

(ee) McCoy’s LAWLINE Speed Trak Elite K, Ka and Elite KD (directional);

(ff)(x) M.P.H. Industries, Inc., or CMI/MPH – Model K-15K “1986 Model”, Model K-15, Model K-15 II;

(gg) M.P.H. Industries, Inc., or CMI/MPH – Model MPH Speedgun (K-BAND);

~~(hh)(\*)~~ M.P.H. Industries, Inc., or CMI/MPH – Model K-55K; Model BEE-36;

~~(ii)~~ M.P.H. Industries, Inc. or CMI/MPH – Model Bee III;

~~(jj)~~ M.P.H. Industries, Inc., or CMI/MPH – Model Enforcer;

~~(kk)(z)~~ Tribar Industries, Inc., – Model MDR-2;

~~(ll)(aa)~~ Tribar Industries, Inc., – Model K-GP.

(2) ~~Visual Average Speed Calculators (ASC) devices:~~

(a) Federal Sign and Signal Corp., – VASCAR II;

(b) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Tracker;

(c) Traffic Safety Systems, Inc., – VASCAR-Plus;

(3) Speedometers – All mechanical or electronic motor vehicle speedometers having certified calibration pursuant to these rules.

(4) Stopwatches – All stopwatches certified pursuant to subsection 15B-2.008(4) and Rule 15B-2.012, F.A.C. Florida Administrative Code. The following stopwatches are approved for use in this State when they have been tested according to this rule ~~c~~Chapter. The absence on this list of other stopwatches used by other law enforcement agencies or the Florida Highway Patrol does not preclude their use when they have been properly tested.

Brand Name	Model Number
(a) Casio	HS-10W
(b) Timex Quartz Timer	None
(c) Heuer	1000
(d) Heuer	1010
(e) Seiko	S022-5009
(f) Accusplit	620-CT
(g) Minerva Manual Timer	None
(h) Seiko	87-0019G
(i) Aristo	Apollo
(j) Lorus	W903
(k) Marshall Browning International Corp.	Robic Acutrak SC-800

(5) Laser speed measuring devices (LSMD) – Evidence of approved LSMD shall be by a certificate or listing on the FCIC computer, or by a listing on the Division of Florida Highway Patrol website, as set forth in subsection (1) of this rule. In addition, the following LSMDs are approved for use in this State:

(a) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Prolaser II, Model ProLaser III;

(b) Laser Technology, Inc., – Model Marksman/LTI 20-20, Model Ultralyte LTI 20/20 Lidar, Model Ultralyte 100LR and 200LR, Model Ultralyte LR B;

(c) Applied Concepts, Inc., – Model Stalker Lidar;

(d) Laser Atlanta Optics, Inc., – Model Speed Laser.

Specific Authority 316.1905 FS. Law Implemented 316.1905, 316.1906 FS. History—New 1-1-90, Amended 11-16-92, 10-18-94, 10-2-95, \_\_\_\_\_.

15B-2.014 Minimum Design Criteria for Laser Speed Measurement Devices.

(1) Manufacturers of laser speed measurement devices (LSMD) shall submit a report to the Department by an independent testing laboratory certifying that each model meets the following minimum design criteria:

(a) The device shall measure transmitted and received light amplified by stimulated emission of radiation, otherwise known as LASER.

(b) The device determines the speed of vehicles by the pulse – echo method using the time of flight of a series of pulses of ~~infrared~~ laser light.

(c) The device shall use solid state digital techniques for distance and speed calculations.

(d) The device shall comply with the limits for a class A digital device as defined in 47 C.F.R. 15.3(h), which is incorporated by reference.

(e) The device is certified as a Class I (one) eye safe device according to the criteria established by the U.S. Department of Health and Human Services, Center for Devices and Radiological Health, Food and Drug Administration, Rockville, Maryland 20582, (21 C.F.R. 1040) which is incorporated by reference.

~~(f) Electromagnetic energy emitted from the device for purposes of measuring either target vehicle speed or range, shall be in the infrared portion of the electromagnetic spectrum.~~

~~(f)(g)~~ The device shall only transmit ~~infrared~~ light pulses when a finger operated trigger is pressed. When this trigger is released the device shall cease to transmit. The devices shall not have any method to lock the trigger in the transmit mode.

~~(g)(h)~~ The device shall be capable of measuring target vehicle speeds over the speed range of 5 mph to ~~100~~ 90 mph, with an accuracy of plus or minus 1 mph over this range.

~~(h)(i)~~ The device shall measure distances with an accuracy of plus or minus 1 foot, between 50 and 1000 feet, and display distances in feet.

~~(i)(j)~~ The device shall be capable of being converted to metric units for distance and speed by the manufacturer.

~~(j)(k)~~ The device shall be weather resistant.

~~(k)(l)~~ The device shall have a self test mode, which will operate automatically when the device is turned on, and when the self test is initiated by the operator. Self test shall verify that the computing and timing circuits are operating correctly, and ~~shall illuminate~~ all light emitting indicators so that the condition can be verified by the operator.

~~(l)(m)~~ The device shall truncate decimal values of the target speed display to produce whole number values.

~~(m)(n)~~ The device shall be capable of measuring both approaching and receding vehicles, and display a visual indication that differentiates direction.

~~(n)(e)~~ The device shall provide an audio tone indicating when a target vehicle has been acquired.

~~(o)(f)~~ The device shall meet all the minimum performance specifications over the manufacturers specified power supply voltage range of 10.8 volts to 16.3 volts, with a nominal power supply voltage being 13.6 volts. The device shall contain the following features related to the power supply circuitry:

1. A power supply on/off switch.
2. A visual indicator to allow the operator to determine that electrical energy is being supplied to the device.
3. A low voltage indicator that alerts the operator either visually or audibly of low voltage conditions, and automatically prevents operation.
4. Internal circuitry that protects against accidental reversal of power supply polarity.
5. An in-line fuse or equivalent mounted between the power supply and the device to prevent power surges in excess of 16.3 volts.

~~(p)(g)~~ The device shall detect spurious readings due to radio frequency interference and inhibit any speed display.

~~(q)(h)~~ The device shall be permanently marked with the functions and setting of all switches, controls and displays. It shall not be possible to set the controls to a functional mode of operation that is not marked or identified.

~~(r)(i)~~ The manufacturer shall permanently mark each device with the name of the LSMD model and the serial number for the specific LSMD.

~~(s)(j)~~ The manufacturer shall provide the procedures that verify the accurate alignment of the sighting element.

(t) When an Average Speed Calculator (ASC) is installed and used as a separate feature of a LSMD, the ASC feature must be certified separately and in addition to the LSMD under paragraph 15B-2.008(2)(d), F.A.C.

(2) Beginning June 30, 2004, all new LSMD's sold in the state of Florida must meet all requirements of this chapter and:

(a) The Model Minimum Performance Specifications for Lidar Speed Measurement Devices, July 1, 2001, NHTSA document #DOT HS 809 239, which is incorporated by reference. This document is available by contacting the Office of Law Enforcement Standards, c/o National Institute of Standards and Technology, 100 Bureau Drive, Stop 8102, Gaithersburg, Maryland 20899-08102.

(b) Shall be restricted to reading vehicle speeds at a distance not greater than 3000 feet.

Specific Authority 316.1905 FS. Law Implemented 316.1905, 316.1906 FS. History--New 10-18-94, Amended \_\_\_\_\_.

15B-2.015 Checks to Determine Speed and Distance Accuracy of Laser Speed Measuring Devices.

~~(1) Prior to an operator using a LSMD, for enforcement activity and subsequent to the last enforcement action taken using a LSMD, but prior to the end of each at the completion of an operator's shift in which an LSMD was used, [The~~

following accuracy checks shall be performed and recorded into a written log. The log forms may be of a design that meets the needs of the particular law enforcement agency:

(a) Display Check – Activate the display test procedure to verify that all segments and other light indicators are functioning properly.

(b) Internal Accuracy Check – The internal accuracy check shall be made in accordance with the manufacturers specifications.

(c) Laser Distance/Alignment Check

1. In a convenient location, establish two permanent known distances using a steel measuring tape or surveyor's instrument to check targets set at a distance of at least 100 feet and separated by at least 100 feet 50 and 100 feet. The targets shall be ~~not more than three (3) feet square nor less than one (1) foot square,~~ the center of which shall be mounted not less than three (3) feet nor more than nine (9) feet from ground level. Both targets must be clear of all obstructions from the measurement starting point.

~~2. The operator shall check the alignment both vertically and horizontally.~~

~~2.3-~~ The operator shall align the device at the established starting point and take a measurement of ~~both the two 50 foot and 100 foot check~~ targets, to verify it's accuracy of plus or minus one (1) foot.

(d) Sight alignment check – Using a suitable target at least 200 feet away, check the site alignment according to the manufacturer's specifications both vertically and horizontally.

(2) Average Speed Calculators (ASC) installed as part of a LSMD shall be checked and operated as outlined in Rule 15B-2.0101, F.A.C. A written log shall be maintained. The log shall contain an entry for the accuracy checks (date and result of the check) performed at the beginning and end of each shift in which the LSMD is used. The written log forms may be of a design that meets the needs of particular jurisdictions.

Specific Authority 316.1905 FS. Law Implemented 316.1905, 316.1906 FS. History--New 10-18-94, Amended \_\_\_\_\_.

15B-2.016 Tests to Determine Accuracy of Laser Speed Measuring Devices.

(1) All LSMD used in this state shall be subject to periodic tests at intervals not to exceed six (6) months, to be conducted by a Florida registered professional engineer or by an electronic Technician who has a Federal Communication Commission, General Radiotelephone Operator License, or a certification issued by one of the following:

(a) Association of Public-Safety Communications Officials-International (APCO);

(b) Personal Communications Industries Association (PCIA), formerly known as National Association of Business and Education Radio (NABER); or

(c) National Association of Radio and Telecommunications Engineers (NARTE).



(2) Only the most recent six (6) month test certificate is required in order to establish the presumption available under Section 316.1905(3)(b), F.S. Tests will include:

(a) Bench Tests – Wavelength verification, optical power output, pulse repetition rate, pulse width, and verify that the pulse train is free of any double laser pulses or intermittent laser pulses. The results of these tests shall conform with the safety report from the U.S. Department of Health and Human Services, Center for Devices and Radiological Health (CDRH), Food and Drug Administration (21 C.F.R. part 1040), which is incorporated by reference, and the manufacturer’s specifications, both of which will be supplied by the manufacturer.

(b) Distance/Velocity – A complete verification test as described in paragraph 15B-2.015(1)(2)(a) through (c), F.A.C., and a Velocity Verification test certifying that the Laser Speed Output was compared to Actual Speed as verified by a certified radar device. The results of these tests will not be greater than plus or minus one (1) foot for the distance tests, and plus or minus one (1) mph for the speed test.

(c) Sight Alignment/Beam Pattern Test. The sighting device will be checked for accuracy to determine that it remains within the laser beam at all distances from 500-3000 feet. This may be determined from calculation based on an initial beam pattern/sight alignment analysis. The beam will be analyzed to determine that it is within the pattern/size tolerances specified by the manufacturer.

~~(d)(e)~~ Each test shall be recorded on form HSMV 61071 (7/03 9/94) which ~~is~~ is incorporated by reference. Blank forms are and is available by contacting the Department at the address described in subsection 15B-2.0082(1)(2), F.A.C.

(e) When an Average Speed Calculator (ASC) is installed and used as a separate feature of a LSMD, the ASC feature must be certified separately and in addition to the LSMD under paragraph 15B-2.008(2)(d), F.A.C.

Specific Authority 316.1905 FS. Law Implemented 316.1905, 316.1906 FS. History–New 10-18-94, Amended \_\_\_\_\_

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE TITLE: Unclaimed Refunds  
 RULE NO.: 19B-11.007

PURPOSE AND EFFECT: To revise the procedures for notifying purchasers of terminated advance purchase contracts of unclaimed refunds and for notifying contract purchasers that have made certain inadvertent payment to the Florida Prepaid College Program, so the purchasers may obtain a refund.

SUBJECT AREA TO BE ADDRESSED: The procedure and methods to be used to notify purchasers of terminated advance purchase contracts of unclaimed refunds and to notify contract purchasers that have made certain inadvertent payment to the Florida Prepaid College Program, so the purchasers may obtain a refund.

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

LAW IMPLEMENTED: 1009.971, 1009.972(5) 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., February 2, 2004

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-11.007 Unclaimed Refunds.

(1) The Board will send a refund to any purchaser whose contract is terminated after July 1, 1996, pursuant to Rule 19B-10.001 or 19B-10.002, F.A.C. Such refund will ~~shall~~ consist of any monies paid into the program minus any applicable fees due against the account. The Board will mail written notice to purchasers when the refund check for a contract terminated after July 1, 1996, has not been negotiated for six years and when a refund is available for a contract that was terminated prior to July 1, 1996. The notice will indicate the procedure which the purchaser must follow to obtain a refund of the monies held by the Board and that if a refund claim is not timely made that the funds will escheat to the Florida Prepaid College Trust Fund. An alphabetical list of the names and city of residence of such purchasers will be posted on the Board’s website on the Internet. Any refund which remains unclaimed seven years after an account is terminated or on December 31, 2004, whichever is later, will escheat to the Florida Prepaid College Trust Fund.

~~(2)(a) As to accounts which were terminated pursuant to Rule 19B-10.001 or 19B-10.002 prior to July 1, 1996, the Board shall mail a written notice to the purchaser of such accounts, if an unclaimed refund is available for the terminated account, regarding the procedure which the purchaser must follow to obtain a refund of the monies held by the Board for~~

~~said accounts. The notice shall be sent to the purchaser when the refund has been unclaimed for six years after the date the account was terminated.~~

~~(b) Each year, the Board shall publish in newspapers of general circulation throughout the state an alphabetical list of the names of those purchasers due a refund of fifty dollars or more who have not made a claim for the refund within ninety (90) days after the mailing of the written notice to the purchaser pursuant to subsection (2)(a). The notice shall indicate the procedure which the purchaser must follow to obtain a refund of the monies held by the Board for such accounts and that if a claim for a refund is not made within seven years of the termination of the account or within one year after the date of publication of the notice, whichever is later, that the funds shall escheat to the Florida Prepaid College Trust Fund. Said notice shall be posted on the Board's website on the Internet.~~

~~(c) Following notice as provided in this subsection, any refund which relates to an account terminated pursuant to Rule 19B-10.001 or 19B-10.002 prior to July 1, 1996, that remains unclaimed for seven years after the termination of the account or for one year after the publication of the notice required in subsection (2)(b), whichever is later, shall escheat to the Florida Prepaid College Trust Fund.~~

~~(3) As to accounts terminated pursuant to Rules 19B-10.001 and 19B-10.002 after July 1, 1996, the Board shall mail written notice to any purchaser of such accounts when the purchaser has not negotiated the refund check for such account after a period of six years. The notice shall indicate the procedure which the purchaser must follow to obtain a refund of the monies held by the Board for said accounts and that if a claim for a refund is not made within seven years of the termination of the account that the funds shall escheat to the Florida Prepaid College Trust Fund. An alphabetical list of the names of the purchasers of such accounts shall be posted on the Board's website on the Internet. Any such refunds for any account terminated pursuant to Rule 19B-10.001 or 19B-10.002 which remains unclaimed after seven years shall escheat to the Florida Prepaid College Trust Fund.~~

~~(2)(4) The Board will attempt to identify purchasers who have made inadvertent payments of fifty dollars or more into the Program and who are owed a refund of such payments. The Board will mail a written notice to persons who made such payments informing them that they are entitled to a refund of the inadvertent payments when such refunds have been unclaimed for six years. The notice will shall indicate the procedure which the person must follow to obtain a refund of the monies held by the Board and that if a claim for a refund is not timely made within seven years after the date such refund became unclaimed that the funds will shall escheat to the Florida Prepaid College Trust Fund. An alphabetical list of the names and city of residence of such purchasers will shall be posted on the Board's website on the Internet. Any refund of~~

an inadvertent payment into the Program which remains unclaimed after seven years or on December 31, 2004, whichever is later, will shall escheat to the Florida Prepaid College Trust Fund.

~~(3)(5) When the Board determines one or more additional methods for locating and notifying purchasers due an unclaimed refund or entitled to a refund of an inadvertent payment are available which are likely to increase the number and amounts of refunds provided to purchasers entitled to a refund or provided to purchasers who have made inadvertent payments, the Board will use such methods to locate and provide refunds to purchasers.~~

~~(4)(6) The Board will shall~~ annually review and approve the list of unclaimed refunds and inadvertent payments which have remained unclaimed for the periods required under this rule and have escheated to the Florida Prepaid College Trust Fund.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.971, 1009.972(5), 1009.98(5) FS. History--New 6-20-96, Amended 12-29-98,

**REGIONAL PLANNING COUNCILS**

**South Florida Regional Planning Council**

RULE TITLE: Strategic Regional Policy Plan for South Florida

RULE NO.: 29J-2.009

PURPOSE AND EFFECT: The South Florida Regional Planning Council announces a public meeting for the purpose of the development of rule amendment for the Strategic Regional Policy Plan (SRPP) for South Florida.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will address all aspects of the Strategic Regional Policy Plan (SRPP) for South Florida, including natural resources, land use and public facilities, regional transportation, economic development, affordable housing, and emergency planning.

SPECIFIC AUTHORITY: 120.54, 186.507 FS.

LAW IMPLEMENTED: 120.54, 186.507, 186.508 FS., Chapter 93-206, Laws of Florida.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:30 a.m., February 2, 2004

PLACE: Kovens Conference Center, Florida International University – Biscayne Bay Campus, 3000 N. E. 151st Street, Miami, Florida 33181

TIME AND DATE: 4:00 p.m. – 6:00 p.m., February 4, 2004

PLACE: Florida City – City Hall/Commission Chambers, 404 West Palm Drive, Florida City, Florida 33034

DATE AND TIME: 4:00 p.m. – 6:00 p.m., February 12, 2004

PLACE: Marathon Government Center, EOC Room, 2798 Overseas Highway, Marathon, Florida 33050

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Allyn L. Childress, South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the South Florida Regional Planning Council with respect to any matter considered at these meetings, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT WWW.SFRPC.COM.

## DEPARTMENT OF CORRECTIONS

RULE TITLE: General Libraries

RULE NO.: 33-501.310

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to set forth guidelines for the operation and use of general institutional libraries.

SUBJECT AREA TO BE ADDRESSED: General libraries.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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:

### 33-501.310 General Libraries.

#### (1) Definitions.

(a) Book on tape – refers to a book title that has been read aloud and recorded on one or more cassette tapes by the Bureau of Braille and Talking Book Library.

(b) Bureau of Braille and Talking Book Library – refers to the agency that provides books on tape, Braille books, and other auxiliary aids for individuals who, due to a disability, are unable to read books in print.

(c) General library – refers to the general library services programs operating in correctional facilities that are directly supervised by a library supervisor. Reading rooms and deposit collections established in dormitories, hospital wards, confinement units, work camps, forestry camps, road prisons, and work release centers are not general libraries.

(d) Hardcover book – refers to a bound publication with a rigid, pressboard cover that is attached to the book through use of end sheets. It is also commonly referred to as a hardbound book.

(e) Impaired inmate – where used in this section, refers to inmates who are unable to handle or read written material due to a physical or mental impairment that substantially limits one or more major life activities, as determined by a physician, psychologist, academic teacher or other specialist to which the inmate was referred to by the department for diagnosis or treatment of the impairment.

(f) Library Supervisor – refers to the librarian specialist, library technical assistant, or any other employee that the warden or designee appoints to supervise the institutional general library program.

(g) Periodical on tape – refers to a magazine or newspaper issue that has been read aloud and recorded on one or more cassette tapes by the Bureau of Braille and Talking Book Library.

(h) Soft cover book – refers to a bound publication with a flexible, paper cover, also referred to as a soft bound or paperback book.

(2) Inmates at major institutions of the department shall be provided access to general library materials and services, to include access to books, periodicals, and newspapers, as staffing and budgetary limitations, security requirements, and this rule and other department rules permit.

(3) Rule 33-501.401, F.A.C., shall serve as the primary materials selection policy for general libraries. General libraries shall not acquire, maintain, or circulate to inmates any item that the department's literature review committee has ruled as inadmissible. The library supervisor shall be responsible for ensuring that all library materials made accessible to inmates are admissible.

(4)(a) Inmates who mutilate, deface or pilfer general library materials shall be subject to disciplinary action as provided in Rules 33-601.301-601.314, F.A.C. Any inmate who has been found guilty of such a disciplinary infraction may be charged costs to repair or replace library materials or equipment and may have his or her privilege of visiting the library and using library materials suspended for up to 60 days.

(b) Inmates who do not follow general library program procedures governing the use of library materials, or who exhibit behavior that is in noncompliance with department rules while in the library, shall be subject to disciplinary action as provided in Rules 33-601.301-601.314, F.A.C. Any inmate

who has been found guilty of such a disciplinary infraction may have his or her privilege of visiting the library and using library materials suspended for up to 60 days.

(5) Inmates in disciplinary confinement and maximum management shall not be permitted to borrow general library books. Inmates in administrative confinement, protective management, and close management shall be provided library services as provided in Rules 33-602.220, 33-602.221, and 33-601.800, F.A.C. Inmates on death row shall be provided the same library services as are provided to inmates in close management. General library programs shall not send hardcover books to inmates in administrative confinement, close management, or on death row.

(6) Bureau of Braille and Talking Book Library Services. Impaired inmates who receive assistance from the Bureau of Braille and Talking Book Library Services shall be allowed to possess a tape player or record player from the Bureau. Any alteration of equipment provided by the Bureau shall result in confiscation of the equipment and suspension of those privileges.

(a) A tape recorder shall be available for impaired inmates to use at a location determined by the warden which allows for supervision of use and which does not unduly restrict access.

(b) Impaired inmates shall obtain approval from the chief health officer to utilize the tape recorder in lieu of pen and paper for correspondence purposes.

(c) Impaired inmates who are eligible for library services from the Bureau of Braille and Talking Book Library Services may request library materials by means of direct correspondence with that library.

(d) Mailroom staff shall forward any books or periodicals on tape received from the Bureau of Braille and Talking Book Library Services to the general library.

1. Impaired inmates in open population shall pick up Bureau of Braille and Talking Book Library books and periodicals on tape from the general library and shall return said materials to the general library when they are finished with them.

2. Impaired inmates in administrative confinement, disciplinary confinement, close management, or on death row shall be provided access to books on tape, and periodicals on tape where allowed by other department rules, via the same procedures used to provide non-impaired inmates with access to the general library's soft-cover books, or by means of correspondence, and shall return said materials to the general library when they are finished with them.

(e) Possession limits. Impaired inmates, except for those in close management, shall be limited to possession of four books on tape. Possession limits for inmates in close management are established in Rule 33-601.800, F.A.C. An inmate who already possesses the maximum number of books or periodicals on

tape allowed shall not be allowed to receive any more until some are returned to the general library or to the Bureau of Braille and Talking Book Library Services.

(f) Any book on tape, periodical on tape, or equipment that an impaired inmate receives from the Bureau of Braille and Talking Book Library Services remains the Bureau's property and must be returned to the Bureau or to the institution's general library when:

1. An inmate loses the use of books and periodicals on tape or equipment for disciplinary reasons; or,

2. A physician, psychologist, academic teacher or other specialist to which the inmate was referred to by the department for diagnosis or treatment of the impairment determines that the inmate no longer has physical impairments that qualify him or her for services from that library.

(g) No Bureau of Braille and Talking Book Library materials that are inadmissible per the rejection criteria established in Rule 33-501.401, F.A.C., shall be issued to impaired inmates. Any book or periodical on tape that contains subject matter that is inadmissible shall be returned.

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Facilities Management**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Lease/Sublease of State-Owned Property for E911 System	
Wireless Communications	
Antenna and/or Support Structure	60H-9
RULE TITLES:	RULE NOS.:
Definitions	60H-9.001
Intent	60H-9.002
Properties Acquired for Transportation Purposes Excluded	60H-9.003
Managing Agency/Owner Agency Evaluation of Availability	60H-9.004
DMS Standard Wireless Communications Lease/Sublease	60H-9.005
Priority for Siting	60H-9.006
Site Access	60H-9.007
Legal Review	60H-9.008
Filing of Lease/Sublease	60H-9.009
One-Time Reporting; Additional Fee for Improvements or Co-location	60H-9.010
Information and Forms	60H-9.011
PURPOSE AND EFFECT: To determine the criteria for leasing of State-owned land for placement of antennas, support structures, and associated wireless equipment and facilities to support a wireless enhanced 911 emergency telephone system.	
SUBJECT AREA TO BE ADDRESSED: Leasing of state-owned land for E 911 wireless facilities.	

SPECIFIC AUTHORITY: 365.172(11)(e) FS.  
 LAW IMPLEMENTED: 365.172(11) 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., February 6, 2004  
 PLACE: Room 166, Betty Easley Conference Center, Capital Circle Office Complex, 4075 Esplanade Way, Tallahassee, Florida

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: Julie Shaw, (850)487-3423. If you are hearing or speech impaired, please contact the agency by calling (850)410-0684.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: John Owen, Division of Facilities Management and Building Construction, 4030 Esplanade Way, Tallahassee, FL 32399-0950, (850)488-0439

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE TITLE: Probable Cause Determination  
 RULE NO.: 61G14-17.002  
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the composition of the probable cause panel.  
 SUBJECT AREA TO BE ADDRESSED: Composition of the probable cause panel.  
 SPECIFIC AUTHORITY: 310.013(3), 455.013(3) FS.

LAW IMPLEMENTED: 455.013(3) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Spivey, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-17.002 Probable Cause Determination.

(1) The determination as to whether probable cause exists to believe that a violation of the provisions of Chapter 445 or 310, Florida Statutes, or the rule promulgated thereunder has

occurred shall be made by a probable cause panel of the Board. The panel shall consist of three (3) Board members, not more than one (1) member of the panel shall be a non-pilot Board member. Former Board members who hold an active valid license may serve on the Probable Cause Panel but at least two (2) current Board members must be members of the Panel at all times.

(2) No change.

Specific Authority 310.013(3), 455.013(3) FS. Law Implemented 455.013(3) FS. History—New 1-28-80, Formerly 21SS-8.06, Amended 9-4-91, Formerly 21SS-8.006, 21SS-17.002, Amended \_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE TITLE: Deceptive and Misleading Advertising  
 RULE NO.: 64B2-15.001  
 Prohibited; Policy; Definition  
 PURPOSE AND EFFECT: The Board proposes to update the rule text.  
 SUBJECT AREA TO BE ADDRESSED: Deceptive and Misleading Advertising Prohibited; Policy; Definition.  
 SPECIFIC AUTHORITY: 460.405 FS.

LAW IMPLEMENTED: 456.062, 460.413(1)(d) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE TITLES: Citations  
 RULE NOS.: 64B11-4.005  
 Mediation  
 64B11-4.006

PURPOSE AND EFFECT: The Board proposes to review the existing language in these rules to determine if amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Citations and mediation.

SPECIFIC AUTHORITY: 456.077, 468.204 FS.  
 LAW IMPLEMENTED: 456.072(3), 456.077, 456.078 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE TITLE: Requirements for Reactivation of an Inactive License  
 RULE NO.: 64B11-5.003

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine if amendments are necessary.  
 SUBJECT AREA TO BE ADDRESSED: Requirements for reactivation of an inactive license.  
 SPECIFIC AUTHORITY: 456.036 FS.  
 LAW IMPLEMENTED: 468.219(2) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Fees for Application, Re-Application and Initial Licensure  
 RULE NO.: 64B17-2.001

PURPOSE AND EFFECT: The Board proposes to make revisions and additions to the current rule text.  
 SUBJECT AREA TO BE ADDRESSED: Fees For Application, Re-Application and Initial Licensure.

SPECIFIC AUTHORITY: 486.025, 486.041(1), 486.081(2) FS.  
 LAW IMPLEMENTED: 456.013, 456.065, 486.041, 486.061, 486.081, 486.103, 486.106, 486.107 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-2.001 Fees for Application, Re-Application and Initial Licensure Fees for Physical Therapists.

(1) Each applicant for licensure shall pay an application fee in the form of a check or money order payable to the Department of Health. The application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application and application fee, a new application and new fee shall be required from any applicant who desires to be considered for licensure.

~~(2)(4) The application fee Endorsement—An applicant for licensure by endorsement is shall remit a fee of \$175 to the Department of Health with the application.~~

~~(3)(2) The application fee Examination—An applicant for licensure by taking the national examination is shall remit an application fee of \$100.~~

(4) The applicant is responsible for the \$25 application fee for taking the Florida laws and rules examination as prescribed by Rule 64B-1.016, F.A.C.

(5) When the Board certifies the applicant to sit for the examination, it is the applicant’s responsibility to complete the examination process with the national vendor. In compliance with the Americans with Disabilities Act, any applicant requesting special accommodations shall comply with the Department of Health’s Rule 64B-1.005, F.A.C.

(6) The initial licensure fee is \$100.

(7) The unlicensed activity fee is \$5.00. This fee is in addition to the initial licensure fee.

(8) If an applicant fails to pass the national examination and/or the laws and rules examination, the applicant is responsible to meet the same requirements as prescribed in subsection (2) through (5) of this rule where applicable.

Specific Authority 486.025, 486.041(1), 486.081(2) FS. Law Implemented ~~456.013, 456.065, 486.041(+), 486.061, 486.081, 486.103, 486.106, 486.107~~ FS. History--New 12-13-83, Amended 5-29-85, Formerly 21M-7.25, Amended 6-20-89, Formerly 21M-7.025, 21MM-2.001, 61F11-2.001, 59Y-2.001, Amended 2-1-99, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Biennial Renewal and Inactive Status; Delinquency; Reactivation; and Change of Status Fees  
 RULE NO.: 64B17-2.005

PURPOSE AND EFFECT: The Board proposes to make revisions and additions to the current rule text.

SUBJECT AREA TO BE ADDRESSED: Biennial Renewal and Inactive Status; Delinquency; Reactivation; and Change of Status Fees.

SPECIFIC AUTHORITY: 486.025, 486.085 FS.

LAW IMPLEMENTED: 456.036(4),(6), 486.085, 486.108(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-2.005 Biennial Renewal and Inactive Status; Delinquency; Reactivation; and Change of Status Fees ~~Fee for Physical Therapists and Physical Therapist Assistants.~~

~~Each licensed physical therapist and physical therapist assistant shall submit a biennial fee for the renewal of his or her license no later than the last day of each biennial period, as defined by the Department.~~

(1) ~~The biennial renewal fee for an active license is for physical therapists shall be \$100.~~

(2) The biennial renewal fee for an inactive license is \$50. Inactive status automatically revokes the privilege to practice in Florida ~~physical therapist assistants shall be \$100.~~

(3) A license which is not renewed at the end of the biennium as prescribed by the Department shall automatically revert to delinquent status. Delinquent status automatically revokes the privilege to practice in Florida. The delinquency fee is \$55.

(4) The unlicensed activity fee is \$5.00. This fee is in addition to the active or inactive licensure renewal fee.

(5) The fee for reactivation is \$50.

(6) The change of status fee is \$40.

(7) Failure by a delinquent licensee to become active or inactive before the expiration of the current licensure cycle renders the license null without further action by the board or the Department. Any subsequent licensure shall be as a result of applying for and meeting all requirements at the time of application.

Specific Authority 486.025, 486.085(+), 486.085(4),(6), 486.085, 486.108(1) FS. History--New 8-6-84, Formerly 21M-8.10, Amended 9-22-87, 6-20-89, Formerly 21M-8.010, Amended 10-17-90, Formerly 21MM-2.005, 61F11-2.005, 59Y-2.005, Amended 12-6-01, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Examination Security and Sanctions for Subversions  
 RULE NO.: 64B17-3.006

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

SUBJECT AREA TO BE ADDRESSED: Examination Security and Sanctions for Subversion.

SPECIFIC AUTHORITY: 486.023(4), 486.025 FS.

LAW IMPLEMENTED: 456.017(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-3.006 Examination Security and Sanctions for Subversions.

(1) The Board incorporates Department Rule 64B-1.004, F.A.C., relating to the security of examinations.

(2) An applicant, licensee, or examinee who is found by the Board, prior to, during, or after the administration of an examination, to have engaged or to have attempted to engage in conduct that subverts or undermines the integrity of the examination process shall be disqualified from taking the examination and from licensure as a physical therapist, and shall receive a failing grade on the examination if applicable.

Specific Authority 486.023(4), 486.025 FS. Law Implemented 456.017(1)(d) FS. History--New 6-12-03, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Examination Security and Sanctions for Subversions  
 RULE NO.: 64B17-4.006

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

SUBJECT AREA TO BE ADDRESSED: Examination Security and Sanctions for Subversion.

SPECIFIC AUTHORITY: 486.023(4), 486.025 FS.

LAW IMPLEMENTED: 456.017(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-4.006 Examination Security and Sanctions for Subversions.

(1) The Board incorporates Department Rule 64B-1.004, F.A.C., relating to the security of examinations.

(2) An applicant, licensee, or examinee who is found by the Board, prior to, during, or after the administration of an examination, to have engaged or to have attempted to engage in conduct that subverts or undermines the integrity of the examination process shall be disqualified from taking the examination and from licensure as a physical therapist assistant, and shall receive a failing grade on the examination if applicable.

Specific Authority 486.023(4), 486.025 FS. Law Implemented 456.017(1)(d) FS. History--New 6-17-03, Amended.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Requirements for Reactivation of an Inactive License  
 RULE NO.: 64B17-5.001

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

SUBJECT AREA TO BE ADDRESSED: Requirements for Reactivation of an Inactive License.

SPECIFIC AUTHORITY: 486.025, 486.085, 486.108, 456.036 FS.

LAW IMPLEMENTED: 486.085, 486.108, 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 64B17-5.001 follows. See Florida Administrative Code for present text.)

64B17-5.001 Requirements for Reactivation of an Inactive License.

An inactive license shall be reactivated upon demonstration that the licensee has paid the reactivation fee, the biennial renewal fee for an active license, and if applicable, a change of status and/or delinquency fee, provided that the licensee has:

(1) Documented completion of 10 hours of continuing education of formal approved study pertinent to practice for each year the license was inactive. No more than 12 hours of continuing education may be home study per year of inactive status.

(2) Documented completion of the required HIV/AIDS course as prescribed in Rule 64B17-8.001, F.A.C., for each biennium the license was inactive.

(3) Documented completion of the required medical errors prevention courses as prescribed in Rule 64B17-8.002, F.A.C., for each biennium after the effective date of the statutory requirement while the license was inactive.

(4) Documented proof of completion of 24 hours of approved continuing education as provided in Rule 64B17-9.001, F.A.C., including HIV/AIDS and medical errors prevention for the preceding biennium during which the licensee held an active license.

Specific Authority 486.025, 486.085, 486.108, 456.036 FS. Law Implemented 486.085, 486.108, 456.036 FS. History--New 8-6-84, Formerly 21M-8.11, Amended 9-22-87, 12-30-87, 6-20-89, Formerly 21M-8.011, Amended 3-24-93, Formerly 21MM-5.001, 61F11-5.001, Amended 12-22-94, 4-4-95, 8-16-95, 7-1-97, Formerly 59Y-5.001, Amended.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Exemption of Spouses of Members of Armed Forces from Licensure Renewal Provisions  
 RULE NO.: 64B17-5.002

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



SUBJECT AREA TO BE ADDRESSED: Exemption of Spouses of Members of Armed Forces from Licensure Renewal Provisions.

SPECIFIC AUTHORITY: 456.024(2), 486.025 FS.

LAW IMPLEMENTED: 456.024(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-5.002 Exemption of Spouses of Members of Armed Forces from Licensure Renewal Provisions.

A licensee who is the spouse of a member of the Armed Forces of the United States shall be exempt from all licensure renewal provisions for any period of time which the licensee is absent from the State of Florida due to the spouse's duties with the Armed Forces. The licensee must document the absence and the spouse's military status to the Board. The licensee is required to notify the Board of a change in status within six months of the licensee's return to the State of Florida or the spouse's discharge from active duty. If the change of status occurs within the second half of the biennium, the licensee is exempt from the continuing education requirement for that biennium.

Specific Authority 456.024(2), 486.025 FS. Law Implemented 456.024(2) FS. History--New 5-18-00, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE:

Citations

RULE NO.:

64B17-7.002

PURPOSE AND EFFECT: The Board proposes to make revisions and additions to the current rule text.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077, 486.025 FS.

LAW IMPLEMENTED: 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board

Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-7.002 Citations.

(1) "Citation" means an instrument which meets the requirements set forth in Section 456.077, F.S., and which is served upon a licensee for the purpose of assessing a penalty in an amount established by this rule. All citations will include a requirement that the subject correct the violation, if remediable, within a specified period of time not to exceed 60 days, and impose whatever obligations will remedy the offense, except that up to six months shall be permitted with regard to the completion of continuing education credit hours. If the violation is not corrected, or is disputed, the Department shall follow the procedure set forth in Section 456.073, F.S.

(2) No change.

~~(3) The citation may be served upon the licensee by hand delivery or certified mail at the licensee's last known home address. If service by certified mail fails because the licensee has relocated without leaving a forwarding address, then the Department shall endeavor to give the subject actual or constructive notice of the pending disciplinary action as permitted by law.~~

(3)(4) The Board designates the following as citation violations:

(a) Advertising for discounted services (Section 456.062, F.S.) – ~~A fine of \$250 for first offense.~~

(b) Failure to turn over patient records (Section 456.057, F.S.) – ~~If corrected, a citation and a fine of \$100; if not corrected, referral to probable cause.~~

~~(c) First time failure of the licensee to satisfy AIDS education coursework (Rule 64B17-8.001, F.A.C.) – If coursework completed, \$250 fine. If not completed, \$500 fine and sixty days to complete coursework or matter will be referred to probable cause.~~

~~(c)(d) Obtaining a license by issuing a bad check (Section 456.072(1)(h), F.S.) – A fine of If the check and bad check fee are paid, \$100 fine.~~

~~(d)(e) Failure to report in writing to the Board within 30 days after criminal conviction of licensee (Section 456.072(1)(w), F.S.) – A fine of If reported within six months of conviction, \$250 fine.~~

~~(e)(f) Failure First-time failure of the licensee to satisfy continuing education requirements established by the Board (Rule 64B17-9.001, F.A.C.) – If the licensee rectifies the deficiencies within six months after notification of audit deficit, \$500 fine.~~

- 1. Failure to complete less than 9 hours, a fine of \$300.
- 2. Failure to complete between 9 and 16 hours, a fine of \$600.
- 3. Failure to complete between 17 and 24 hours, a fine of \$1,000.

~~(f)(e)~~ Failure to notify the Board office in writing ~~within 60 days~~ of a change of address (Rule 64B17-6.004, F.A.C.), = A fine of \$250 ~~fine~~.

~~(g)(h)~~ Failure to comply with a continuing education audit request (Section 486.109(4) and 486.125(k), F.S.) ~~within 30 days of the request~~, = A fine of \$250 ~~fine~~.

~~(h)(i)~~ Failure to pay required fees and/or fines in a timely manner; (Rule 64B17-7.0025, F.A.C.).

(5) In addition to the penalties established in this rule, the Department shall recover the costs of investigation in accordance with its rules. The penalty specified in the citation shall be the sum of the penalty established by this rule plus the Department’s cost of investigation.

(6) If the subject does not dispute ~~disputes~~ any matter contained in the citation, within thirty days after service, ~~the Department shall follow the procedure set forth in Section 456.073, F.S. Otherwise,~~ the citation shall become a final order of the Board.

Specific Authority 456.077, 486.025 FS. Law Implemented 456.077 FS. History–New 1-19-92, Formerly 21MM-7.003, Amended 10-28-93, Formerly 61F11-7.003, 59Y-7.003, Amended 1-6-99, 1-6-02, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Mediation RULE NO.: 64B17-7.004

PURPOSE AND EFFECT: The Board proposes to make revisions and additions to the current rule text.

SUBJECT AREA TO BE ADDRESSED: Mediation.

SPECIFIC AUTHORITY: 486.025, 456.078 FS.

LAW IMPLEMENTED: 456.078 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-7.004 Mediation.

The Board finds that mediation is an acceptable resolution of the following violations that are economic in nature or can be remedied by the licensee, where the licensee has a differing view from the complainant as to the nature or extent of the violation:

(1) Failure to respond timely to a continuing education audit as required by Section 486.109(4), F.S.

(2) Failure to notify the Department of a change of address as required by Rule 64B17-6.004, F.A.C. Failure to renew the license timely, if renewed within six months of expiration.

(3) Issuance of a bad check to the Department under Section 486.125(1)(k), F.S.

Specific Authority 486.025, 456.078 FS. Law Implemented 456.078 FS. History–New 12-22-94, Formerly 59Y-7.005, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Notice of Noncompliance RULE NO.: 64B17-7.005

PURPOSE AND EFFECT: The Board proposes to create a new rule.

SUBJECT AREA TO BE ADDRESSED: Notice of Noncompliance.

SPECIFIC AUTHORITY: 120.695, 456.073(3), 486.025 FS.

LAW IMPLEMENTED: 120.695, 456.073(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-7.005 Notice of Noncompliance.

In accordance with Section 456.073, F.S. and Section 120.695, F.S., the Board shall issue a notice of noncompliance as a first response to a minor violation of a rule. Failure of a licensee to take action to correct the violation within 15 days shall result in either the issuance of a citation when appropriate or the initiation of regular disciplinary proceedings. The minor violations which shall result in a notice of noncompliance are:

(1) Failure to notify of a change of address within 60 days as required by Rule 64B17-6.004, F.A.C.

(2) Non-intentional issuance of a bad check to the Department under Section 486.125(1)(k), Florida Statutes.

Specific Authority 120.695, 456.073(3), 486.025 FS. Law Implemented 120.695, 456.073(3) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE: Continuing Education

RULE NO.: 64B17-9.001

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

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.013(6), 486.109(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B17-9.001 Continuing Education.

(1) through (5) No change.

(6) The Board approves for continuing education credit:

(a) No change.

(b) Courses sponsored by the American Physical Therapy Association, the Federation of State Boards of Physical Therapy, or any of their its components, 1111 North Fairfax Street, Alexandria, Virginia 22314, or;

(c) No change.

(d) Attendance at Florida Board meetings where disciplinary cases are being heard if the licensee is not on the agenda or appearing for another purpose. The number of risk management contact hours for such attendance is based on the definition of contact hour as set forth in (2).

(e) Members of the Board's Probable Cause Panel shall receive five hours of continuing education risk management credit per biennium for their service on the Panel.

(7) No change.

(8) The licensee must retain such receipts, vouchers, certificates, or other papers as may be necessary to document completion of the appropriate continuing education offerings listed on the renewal form for a period of not less than four years from the date the offering was taken.

Specific Authority 486.025 FS. Law Implemented 456.013(6), 486.109(2) FS. History--New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended 2-14-02, 4-21-02, 1-2-03, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE CHAPTER TITLE: Disciplinary Matters

RULE CHAPTER NO.: 64B18-14

PURPOSE AND EFFECT: The Board proposes to review the disciplinary rules in this chapter to determine whether amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary matters relating to the practice of podiatric medicine.

SPECIFIC AUTHORITY: 456.048, 456.072, 456.073, 456.077, 456.078, 456.079, 461.004(4), 461.005, 461.013 FS.

LAW IMPLEMENTED: 456.027, 456.033, 456.048, 456.053, 456.057, 456.062, 456.063, 456.067, 456.072, 456.073, 456.077, 456.079, 461.002(2), 461.003(3), 461.004(4), 461.005, 461.012, 461.013 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON FEBRUARY 6, 2004, IN ORLANDO, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**Section II  
Proposed Rules**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**LAND AND WATER ADJUDICATORY COMMISSION**

RULE CHAPTER TITLE:                   RULE CHAPTER NO.:  
Lakewood Ranch Community                   42EE-1  
Development District 5

RULE TITLE:                                   RULE NO.:  
Boundary                                       42EE-1.002

**PURPOSE, EFFECT AND SUMMARY:** The purpose of this proposed rule amendment is to amend the boundaries of the Lakewood Ranch Community Development District (“District”) 5. The petition submitted and filed by the District’s governing Board of Supervisors requests that the Florida Land and Water Adjudicatory Commission (“Commission”) amend Chapter 42EE-1, Florida Administrative Code, to amend the District’s boundaries to delete one contraction parcel consisting of approximately 40.22 acres and one contraction parcel consisting of approximately 0.77 acres for a total of approximately 41 acres from the lands to be served by the District. After amendment as proposed, the District will consist of and continue to serve approximately 1,132.20 acres located wholly within the boundaries of Manatee County. The contraction parcels are generally located south of the Braden River, north of the Manatee/Sarasota County line, east of Lakewood Ranch Boulevard, and west of Lorraine Road, within the unincorporated area of Manatee County, Florida. The contraction parcels have no infrastructure and are not planned to include any of the residential units or golf course planned for the District. The land area to be served by the District after contraction will be approximately 1,132.20 acres, more or less. In the future, the contraction parcels may be proposed for inclusion in a future community development district not yet established.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** In association with the Petition, the Petitioner has caused a Statement of Estimated Regulatory Costs (“SERC”) to be prepared in compliance with section 120.541, Florida Statutes. The complete text of the SERC is contained at Exhibit “5” to the Petition. By way of summary, the SERC estimates that the principal individuals and entities likely to be required to comply with the amended rule are the state, Manatee County, Florida, the District and especially the landowners within the District’s amended boundaries. The SERC estimates the type of individuals likely to be affected by the amended rule are landowners within the District’s amended boundaries. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be minimal, are concurrently budgeted or not burdensome, and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no effect on state and local revenues from the proposed amendment of the rule. Further, the SERC estimates that there will be no transactional costs associated with the petition to alter the boundaries of the District as the contraction parcels are not served with any infrastructure. Finally, the SERC concludes

that the amended rule will have no impact on small businesses as the contraction of the District does not change its economic functions relative to small business. The SERC’s analysis is based on a straightforward application of economic theory with input received from the developer’s engineer and other professionals associated with the developer.

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:** 190.005 FS.

**LAW IMPLEMENTED:** 190.004, 190.005 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, A HEARING WILL NOT BE HELD):**

**TIME AND DATE:** 10:00 a.m. – 12:00 Noon, Monday, February 2, 2004

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

42EE-1.002 Boundary.

A tract of land lying in Sections 20, 21, 27, 28, 29, 32, 33 and 34, Township 35 South, Range 19 East, Manatee County, Florida and more particularly described as follows: Commence at the Southwest corner of said Section 29; thence S.89°30'25"E. along the South line of said Section 29, a distance of 2603.91' to the POINT OF BEGINNING; thence ~~continue, S.89°30'25"E., along the south line of said Section 29, a distance of 2733.52 feet to the southeast corner of premises described in Boundary Line Agreement, recorded in Official Record Book 1323, Page 1526 of the Public Records of Manatee County, Florida, also being the southeast corner of said Section 29; (the following 4 calls are along the east and north lines of said premises); thence N.00°40'07"E., along the east line of said premises, also being the east line of Section 29, a distance of 3969.03 feet; 5337.43 feet to the southeast corner of premises described in Boundary Line Agreement, recorded in Official Record Book 1323, Page 1526 of the Public Records of Manatee County, Florida, also being the southeast corner of said Section 29; thence N.00°40'07"E., along the east line of said premises, also being the east line of Section 29, a distance of 896.55 feet to the POINT OF BEGINNING; thence continue N.00°40'07"E., along said east line, a distance of~~

2593.75 feet; thence N.25°39'10"E. a distance of 123.60 feet; thence S.64°20'50"E. a distance of 5.35 feet to the point of curvature of a curve to the right having a radius of 35.00 feet, and a central angle of 84°41'15"; thence along the arc of said curve, in a southwesterly direction, an arc length of 51.73 feet to the point of cusp with a curve to the right of which the radius point lies N.69°39'36"E. a radial distance of 775.00 feet; thence along the arc of said curve, in a northeasterly direction, passing through a central angle of 10°37'32" an arc distance of 143.52 feet to the point of cusp with a curve to the right of which the radius point lies N.59°02'04"W. a radial distance of 35.00 feet; thence along the arc of said curve, in a southwesterly direction, passing through a central angle of 70°04'47" an arc distance of 42.81 feet to the end of said curve; thence N.25°39'10"E. a distance of 143.87 feet; thence N.64°20'50"W. a distance of 55.31 feet to the point of curvature of a curve to the left having a radius of 345.00 feet, and a central angle of 10°10'37"; thence along the arc of said curve, in a westerly direction, an arc length of 61.28 feet to the point of reverse curvature of a curve to the right having a radius of 55.00 feet, and a central angle of 20°56'10"; thence along the arc of said curve, in a northwesterly direction, an arc length of 20.10 feet to the point of reverse curvature of a curve to the left having a radius of 670.00 feet, and a central angle of 03°32'30"; thence along the arc of said curve, in a northwesterly direction, an arc length of 41.42 feet to the above mentioned east line of premises described in Boundary Line Agreement, recorded in Official Record Book 1323, page 1526 of the Public Records of Manatee County; (the following 4 calls are along the east and north line of said Boundary Line Agreement); thence N.00°40'07"E. a distance of 92.88 feet; thence N.89°29'40"W. a distance of 28.00 feet; thence N.00°40'07"E. a distance of 16.00 feet; thence N.89°29'40"W. a distance of 415.80 feet to the east line of Community Development District No. 1; (the following 4 calls are along the easterly line of said Community Development District No. 1); thence N.12°00'00"W. a distance of 1100.01 feet; thence N.20°00'00"W. a distance of 850.00 feet; thence N.56°19'17"W., a distance of 834.10 feet to a point hereafter referred to as "POINT C", said point being a point in the approximate centerline of the Braden River; thence northeasterly along the centerline of said Braden River, 2508 feet, more or less to a point hereafter referred to as "POINT B", said point lying N.60°41'34"E., a distance of 2228.69 feet from said "POINT C"; (the following 38 calls are along the southerly line of Community Development District No. 4, also being the approximate centerline of said Braden River); thence S.63°46'32"E. a distance of 199.25 feet; thence S.89°51'13"E. a distance of 107.53 feet; thence S.65°09'04"E. a distance of 130.29 feet; thence N.72°15'41"E. a distance of 45.67 feet; thence S.52°55'04"E. a distance of 146.47 feet; thence S.07°03'03"E. a distance of 153.86 feet; thence S.31°20'20"E. a distance of 82.43 feet; thence S.77°38'51"E. a distance of 193.71 feet; thence S.68°00'16"E. a distance of 252.22 feet;

thence S.76°43'49"E. a distance of 167.84 feet; thence S.36°06'47"E. a distance of 61.05 feet; thence S.13°23'34"E. a distance of 151.26 feet; thence S.63°24'00"E. a distance of 85.74 feet; thence S.87°38'04"E. a distance of 317.67 feet; thence N.84°09'13"E. a distance of 355.98 feet; thence S.18°29'28"E. a distance of 84.57 feet; thence S.54°33'56"E. a distance of 98.44 feet; thence S.06°19'12"E. a distance of 178.15 feet; thence S.04°46'16"W. a distance of 201.80 feet; thence N.84°04'15"E. a distance of 395.37 feet; thence S.88°35'50"E. a distance of 205.23 feet; thence N.28°03'28"E. a distance of 123.34 feet; thence N.33°56'03"E. a distance of 147.61 feet; thence N.78°50'23"E. a distance of 172.76 feet; thence S.89°34'53"E. a distance of 85.11 feet; thence S.49°03'37"E. a distance of 210.65 feet; thence S.07°21'38"E. a distance of 192.00 feet; thence S.55°21'39"E. a distance of 83.20 feet; thence S.11°18'24"E. a distance of 186.21 feet; thence N.85°40'43"E. a distance of 123.53 feet; thence S.51°55'12"E. a distance of 192.92 feet; thence N.81°00'35"E. a distance of 414.97 feet; thence N.15°30'10"E. a distance of 198.47 feet; thence N.54°37'50"E. a distance of 125.25 feet; thence S.66°16'08"E. a distance of 279.73 feet; thence S.26°46'17"E. a distance of 188.86 feet; thence S.67°56'22"E. a distance of 288.44 feet; thence S.59°36'01"E. a distance of 232.13 feet to the west right-of-way line of Lorraine Road (120-foot wide public right-of-way); thence S.00°30'20"W., along said west line, a distance of 259.63 feet to the northwest corner of said Section 27; thence S.89°29'42"E., along the north line of said Section 27, a distance of 120.01 feet to a point on the east right-of-way line of said Lorraine Road; (the following 6 calls are along said east line); thence S.00°51'26"W. a distance of 5313.83 feet; thence S.00°51'27"W. a distance of 1.87 feet to a point on a curve to the left of which the radius point lies S.89°08'34"E. a radial distance of 2190.00 feet; thence along the arc of said curve, in a southerly direction, passing through a central angle of 13°14'44" an arc distance of 506.28 feet to the point of tangency of said curve; thence S.12°23'18"E., a distance of 982.01 feet to the point of curvature of a curve to the right having a radius of 3060.00 feet, and a central angle of 10°28'18"; thence along the arc of said curve, an arc length of 559.26 feet to the point of tangency of said curve; thence S.01°55'00"E., a distance of 447.81 feet to the northerly line of Community Development District No. 2; thence S.88°05'00"W. a distance of 120.03 feet to the northeasterly corner of The Masters Avenue, as shown on the plat of Lakewood Ranch Country Club Village, The Masters Avenue/Eagles Watch Way Roadways, as recorded in Plat Book 35, Page 194, of said Public Records, said point being a point on a curve to the right of which the radius point lies S.88°05'00"W. a radial distance of 35.00 feet; (the following 14 calls are along said northerly line); thence along the arc of said curve, in a southwesterly direction, passing through a central angle of 90°00'00" an arc distance of 54.98 feet to the point of tangency of said curve; thence S.88°05'00"W., a

distance of 207.34 feet to the point of curvature of a curve to the left having a radius of 149.00 feet, and a central angle of  $17^{\circ}26'15''$ ; thence along the arc of said curve, in a westerly direction, an arc length of 45.35 feet to the point of reverse curvature of a curve to the right, having a radius of 123.00 feet and a central angle of  $17^{\circ}26'15''$ ; thence along the arc of said curve, in a westerly direction, an arc distance of 37.43 feet to the point of tangency of said curve; thence  $S.88^{\circ}05'00''W.$ , a distance of 74.02 feet to the point of curvature of a curve to the left having a radius of 725.00 feet, and a central angle of  $42^{\circ}19'52''$ ; thence along the arc of said curve, in a southwesterly direction, an arc length of 535.64 feet to the point of reverse curvature of a curve to the right, having a radius of 675.00 feet and a central angle of  $45^{\circ}08'52''$ ; thence along the arc of said curve, in a westerly direction, an arc distance of 531.88 feet to the point of tangency of said curve; thence  $N.89^{\circ}06'00''W.$ , a distance of 401.49 feet to the point of curvature of a curve to the left having a radius of 525.00 feet, and a central angle of  $34^{\circ}09'49''$ ; thence along the arc of said curve, in a westerly direction, an arc length of 313.04 feet to the point of reverse curvature of a curve to the right, having a radius of 475.00 feet and a central angle of  $34^{\circ}27'06''$ ; thence along the arc of said curve, in a westerly direction, an arc distance of 285.62 feet to the point of tangency of said curve; thence  $N.88^{\circ}48'43''W.$ , a distance of 436.59 feet; to the point of curvature of a curve to the left having a radius of 625.00 feet, and a central angle of  $20^{\circ}23'17''$ ; thence along the arc of said curve, in a westerly direction, an arc length of 222.40 feet to the point of reverse curvature of a curve to the right, having a radius of 475.00 feet and a central angle of  $39^{\circ}50'30''$ ; thence along the arc of said curve, in a westerly direction, an arc distance of 330.30 feet to the point of compound curvature of a curve to the right, having a radius of 575.00 feet and a central angle of  $15^{\circ}59'08''$ ; thence along the arc of said curve, in a northwesterly direction, an arc distance of 160.43 feet to the point of compound curvature of a curve to the right, having a radius of 25.00 feet and a central angle of  $95^{\circ}12'58''$ ; (the following 7 calls are along the northerly line of said The Masters Avenue as shown on the plat of Lakewood Ranch Country Club Village, Subphase G, a/k/a Westchester, as recorded in Plat Book 34, Page 17 of said Public Records); thence along the arc of said curve, in a northerly direction, an arc distance of 41.55 feet to the end of said curve; thence  $N.48^{\circ}09'24''W.$ , along a line radial to the last described curve, a distance of 50.00 feet to a point on a curve to the right of which the radius point lies  $N.48^{\circ}09'24''W.$  a radial distance of 25.00 feet; thence along the arc of said curve, in a westerly direction, passing through a central angle of  $95^{\circ}12'57''$  an arc distance of 41.55 feet to the point of compound curvature of a curve to the right, having a radius of 575.00 feet and a central angle of  $29^{\circ}31'19''$ ; thence along the arc of said curve, in a northerly direction, an arc distance of 296.27 feet to the point of reverse curvature of a curve to the left, having a radius of 675.00 feet and a central angle of  $34^{\circ}32'21''$ ; thence along the

arc of said curve, in a northwesterly direction, an arc distance of 406.90 feet to the point of tangency of said curve; thence  $N.47^{\circ}57'29''W.$  a distance of 532.39 feet to the point of curvature of a curve to the right having a radius of 35.00 feet, and a central angle of  $85^{\circ}30'06''$ ; thence along the arc of said curve, in a northerly direction, an arc length of 52.23 feet to the point of reverse curvature of a curve to the left, having a radius of 730.00 feet and a central angle of  $01^{\circ}29'29''$ , said point being a point on the easterly right-of-way line of Legacy Boulevard (120-foot wide public right-of-way) as recorded in Official Record Book 1500, Page 6809, of said Public Records; (the following 2 calls are along the easterly and northerly line of said Legacy Boulevard); thence along the arc of said curve, in a northeasterly direction, an arc distance of 19.00 feet to the end of said curve; thence  $N.53^{\circ}56'52''W.$ , along a line radial to the last described curve, a distance of 120.00 feet to a point on a curve to the left of which the radius point lies  $N.53^{\circ}56'52''W.$  a radial distance of 610.00 feet; (the following 2 calls are along the easterly line of Lakewood Ranch Country Club Village, Subphase D, Unit 3A, recorded in Plat Book 32, Page 177 of said Public Records); thence along the arc of said curve, in a northerly direction, passing through a central angle of  $34^{\circ}59'11''$  an arc distance of 372.48 feet to the point of tangency of said curve; thence  $N.01^{\circ}03'57''E.$ , along said easterly line, also being the easterly line of Lakewood Ranch Country Club Village, Subphase D, Units 3B & 4, a/k/a Gleneagles, recorded in Plat Book 34, Page 181 of said Public Records, a distance of 835.00 feet to the point of curvature of a curve to the right having a radius of 1190.00 feet, and a central angle of  $06^{\circ}50'14''$ ; (the following 12 calls are along the easterly and northerly line of said Lakewood Ranch Country Club Village, Subphase D, Units 3B & 4, a/k/a Gleneagles); thence along the arc of said curve, in a northerly direction, an arc length of 142.01 feet to the point of reverse curvature of a curve to the left, having a radius of 35.00 feet and a central angle of  $87^{\circ}11'33''$ ; thence along the arc of said curve, in a northwesterly direction, an arc distance of 53.26 feet to the point of tangency of said curve; thence  $N.79^{\circ}17'22''W.$  a distance of 18.47 feet; to the point of curvature of a curve to the right having a radius of 725.00 feet, and a central angle of  $61^{\circ}47'51''$ ; thence along the arc of said curve, in a northwesterly direction, an arc length of 781.96 feet to the point of tangency of said curve; thence  $N.17^{\circ}29'31''W.$ , a distance of 82.39 feet; thence  $S.72^{\circ}30'29''W.$  a distance of 181.80 feet to a point on a curve to the left of which the radius point lies  $S.01^{\circ}16'24''E.$  a radial distance of 58.00 feet; thence along the arc of said curve, in a westerly direction, passing through a central angle of  $24^{\circ}50'29''$  an arc distance of 25.15 feet to the end of said curve; thence  $N.26^{\circ}06'53''W.$ , along a line radial to the last described curve, a distance of 49.82 feet; thence  $S.72^{\circ}30'29''W.$  a distance of 161.83 feet; thence  $N.17^{\circ}29'31''W.$  a distance of 20.40 feet; ~~thence  $S.72^{\circ}30'29''W.$  a distance of 190.11 feet; thence  $S.07^{\circ}30'16''W.$  a distance of 437.56 feet to a point on the north line of Lakewood Ranch~~

~~Country Club Village, Subphase D, Unit 2, recorded in Plat Book 31, Page 23 of said Public Records; thence N.90°00'00"W., along said north line, also being the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass, recorded in Plat Book 34, Page 113 of said Public Records, a distance of 2269.90 feet; thence S.23°47'43"W., along the west line of said of Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass, a distance of 277.38 feet to a point on the north line of Parcel 4, Legacy Golf Course as recorded in Road Plat Book 10, Page 126, of said Public Records; (the following 2 calls are along said northerly line); thence N.60°40'54"W. a distance of 184.30 feet; thence N.36°55'37"W. a distance of 85.32 feet to a point on the east line of Lakewood Ranch Country Club Village, Subphase C, Unit 1 A, recorded in Plat Book 30, Page 189 of said Public Records; (the following 3 calls are along said easterly line); thence N.01°20'47"E. a distance of 240.50 feet; thence N.58°34'00"W. a distance of 423.22 feet; thence N.00°29'35"E. a distance of 166.41 feet; to the POINT OF BEGINNING.~~

~~Tract Contains: 1,173.19 acres, more or less.  
thence N.17°45'33"W. a distance of 66.97 feet; thence N.32°55'20"W. a distance of 151.02 feet; thence N.08°15'49"W. a distance of 40.29 feet; thence N.10°56'16"W. a distance of 234.91 feet; thence N.36°37'46"W. a distance of 65.00 feet; thence N.38°23'13"E. a distance of 49.34 feet to a point on a curve to the right of which the radius point lies N.38°04'14"E. a radial distance of 600.00 feet; thence along the arc of said curve, in a northerly direction, passing through a central angle of 41°49'56" an arc distance of 438.06 feet to the end of said curve; thence S.84°51'36"W. a distance of 60.92 feet to the POINT OF BEGINNING.~~

~~Tract Contains: 1,132.20 acres, more or less.  
Specific Authority 190.005 FS. Law Implemented 190.004, 190.005(1)(f)1. FS. History--New 4-30-01, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1802, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2003

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Confidential Information  
RULE NO.: 53-1.005

PURPOSE AND EFFECT: The purpose of the rule amendment is to clarify that trade secrets of the Lottery and the Lottery's vendors and contractors are confidential.

SUMMARY: The rule amendment clarifies that trade secrets of the Lottery and the Lottery's vendors and contractors are confidential.

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: 24.105(2), 24.105(9)(j), 24.105(12)(a) FS.

LAW IMPLEMENTED: 24.105(12)(a) FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., February 11, 2004  
PLACE: Department of the Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane D. Schmidt, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULE IS:

53-1.005 Confidential Information.

(1) No change.

(2) Confidential Information. The following items are determined to be confidential, and therefore exempt from the provisions of Section 119.07, F.S.:

(a) through (i) No change.

(j) Trade secrets of the Lottery and the Lottery's vendors and contactors shall be confidential. This includes, but is not limited to, information such as marketing plans and all advertising and components of advertising strategy prior to its publication. Trade secrets, such as draft Lottery marketing plans and all advertising and components of advertising strategy prior to its publication.

(k) No change.

Specific Authority 24.105(2)(a),(9)(j)(40)(j),(12)(a)(43)(a) FS. Law Implemented 24.105(12)(43)(a) FS. History--New 2-25-93, Amended 8-15-93, 3-6-00, \_\_\_\_\_.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 19, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 9, 2004

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

RULE TITLE: Covered Entities and Facilities  
RULE NO.: 60Y-10.002

PURPOSE AND EFFECT: This section provides for the definition of covered entities and facilities under Chapter 60Y-10 relating to prohibition against discrimination by public lodging and food service establishments in respect to refusing accommodations and services.

SUMMARY: The proposed amendment to this rule section provides for the addition of a new definition of covered entities and facilities under Chapter 60Y-10, F.A.C., relating to prohibition against discrimination by public lodging, entertainment, food service and related establishments in respect to refusing accommodations and services.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 760.06(12) FS.

LAW IMPLEMENTED: 760.02(11) FS.

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

TIME AND DATE: 9:00 a.m. (EDT), Monday, February 9, 2003

PLACE: The Commission’s Main Conference Room, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Florida Commission on Human Relations, Attn: Jim Tait, Staff Attorney, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, (850)488-7082, Ext. 1071

THE FULL TEXT OF THE PROPOSED RULE IS:

60Y-10.002 Covered Entities and Facilities.

The public lodging establishments covered by these rules are those defined in Sections 509.013(4) and 760.02(11), Florida Statutes ~~(1994)~~. The public food service establishments covered by these rules are those defined in Sections 509.013(5) and 760.02(11), Florida Statutes ~~(1994)~~. All other establishments defined in Section 760.02(11), Florida Statutes, are also covered by these rules.

Specific Authority 120.53, 760.06(12), 760.11 FS. Law Implemented 120.53, 760.11 FS. History—New 12-14-93, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: William James Tait, Jr.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cecil Howard

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 29, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 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 Optometry**

RULE TITLE: Minimum Procedures for Vision Analysis  
RULE NO.: 64B13-3.007

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the process for visual acuity examination.

SUMMARY: The proposed rule amendment intends to set forth the minimum procedures for an examination of visual acuity.

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: 463.005(1) FS.

LAW IMPLEMENTED: 463.005(1), 463.0135, 463.016(1)(g),(k) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-3.007 Minimum Procedures for Vision Analysis.

(1) No change.

(2) An examination for vision analysis shall include the following minimum procedures, which shall be recorded on the patient’s case record:

(a) Patient’s history (personal and family medical history, personal and family ocular history, and chief complaint);



- (b) Visual acuity (unaided and with present correction);
- (c) through (l) No change.
- (3) through (7) No change.

Specific Authority 463.005(1) FS. Law Implemented 463.005(1), 463.0135, 463.016(1)(g),(k) FS. History--New 11-13-79, Amended 4-17-80, 7-29-85, Formerly 21Q-3.07, Amended 7-18-90, Formerly 21Q-3.007, 61F8-3.007, 59V-3.007, Amended 4-3-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2003

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: \_\_\_\_\_ RULE NO.: 64B13-3.019  
Address of Record

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete inapplicable language regarding the submission of current mailing addresses to the Board during license renewal.

SUMMARY: The proposed rule amendment intends to set forth the requirement and the process for a licensee to provide a current address of record to the Department of Health.

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: 456.035, 463.005(1) FS.

LAW IMPLEMENTED: 456.035, 463.011 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-3.019 Address of Record.

It shall be the duty of each licensee to provide to the Department of Health written notification by certified mail of the licensee's current mailing address and place of practice within 10 days upon change thereof ~~and during license renewal~~. The term "place of practice" means the address(es) of the physical location(s) where the licensee practices optometry.

Specific Authority 456.035, 463.005(1) FS. Law Implemented 456.035, 463.011 FS. History--New 12-22-94, Formerly 59V-3.019, Amended  
\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2003

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: \_\_\_\_\_ RULE NO.: 64B13-4.001  
Examination Requirements

PURPOSE AND EFFECT: The Board proposes to amend the rule by changing the passing grade percentage on the clinical portion of the practical examination.

SUMMARY: The proposed rule amendment intends to set forth the examination requirements for licensure.

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: 456.017(2), 463.005, 463.006(2) FS.

LAW IMPLEMENTED: 456.017(2), 463.006(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-4.001 Examination Requirements.

The examination for licensure shall consist of the National Board of Examiners in Optometry examination (hereafter NBEO examination), and Parts I and II of the state examination for licensure. The examination for certification of a licensee shall consist of the Treatment and Management of Ocular Disease (hereafter TMOD) part of the NBEO.

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

(d) Part II of the state examination shall consist of a clinical portion and a pharmacology/ocular disease portion.

1. through 3. No change.

4. An applicant must attain a score of ~~80 percent~~ ~~75 points~~ or better in order to secure a passing grade on the clinical portion of the practical examination.

- 5. through 6. No change.
- (3) No change.

Specific Authority 456.017(2), 463.005, 463.006(2) FS. Law Implemented 456.017(2), 463.006(2) FS. History--New 11-13-79, Amended 5-28-80, 7-10-80, 8-20-81, 2-14-82, 6-6-82, 10-3-82, 4-10-84, 5-29-85, Formerly 21Q-4.01, Amended 7-21-86, 11-20-86, 7-27-87, 7-11-88, 7-18-91, 4-14-92, Formerly 21Q-4.001, Amended 2-14-94, Formerly 61F8-4.001, Amended 8-8-94, 11-21-94, 4-21-96, Formerly 59V-4.001, Amended 7-27-99, 7-15-02,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2003

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: RULE NO.:

Criteria for Selection of Examiners and Consultants 64B13-4.005

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the minimum requirements for a licensee to serve as an examiner.

SUMMARY: The proposed rule amendment intends to set forth criteria for those seeking service as an examiner.

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: 456.017(1)(b) FS.

LAW IMPLEMENTED: 456.017(1)(a),(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-4.005 Criteria for Selection of Examiners and Consultants.

The following criteria are hereby established for the selection of examiners and consultants:

- (1) through (2) No change.
- (3) In addition to the minimum requirements, a licensee may not serve as an examiner if the licensee ~~has externs at his/her place of practice, currently supervises doctors in a residency or fellowship, or is a full-time faculty member at or adjunct professor in a college school of optometry.~~
- (4) No change.

Specific Authority 456.017(1)(b) FS. Law Implemented 456.017(1)(a),(b) FS. History--New 10-6-81, Formerly 21Q-4.05, Amended 7-21-86, 11-20-86, Formerly 21Q-4.005, 61F8-4.005, 59V-4.005, Amended 2-7-01, 8-7-01,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2003

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: RULE NO.:

Inactive Status 64B13-11.001

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify that there is only one fee amount.

SUMMARY: The proposed rule amendment intends to delete language that would infer that there is more than one fee amount.

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: 456.036, 463.005(1), 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.036, 463.007, 463.008 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-11.001 Inactive Status.

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

~~(b) Pays the active status fee of subsection 64B13-6.001(4), F.A.C., for each biennium during which the license was inactive;~~

~~(b)(e) Pays the reactivation fee of subsection 64B13-6.001(4)(5), F.A.C.; and~~

~~(d) If applicable, the change of status fee in subsection 64B13-6.001(14), F.A.C.~~

(3) No change.

(a) through (c) No change.

(d) Pays the ~~active~~ status fee of subsection 64B13-6.001(3)(4), F.A.C., for each biennium during which the license was inactive;

(e) Pays the reactivation fee of subsection 64B13-6.001(4)(5), F.A.C.; and

~~(f) If the request to change licensure status is made at any time other than at the beginning of a licensure cycle, pays the change of status fee of subsection 64B13-6.001(14), F.A.C.; and~~

(4) No change.

Specific Authority 456.036, 463.005(1), 463.007, 463.008 FS. Law Implemented 456.036, 463.007, 463.008 FS. History--New 11-20-86, Formerly 21Q-11.001, 61F8-11.001, Amended 12-22-94, Formerly 59V-11.001, Amended 1-22-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2003

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE: Delinquent License

RULE NO.: 64B13-11.004

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete the word "status" from the title and rule because no delinquent status license exists.

SUMMARY: The proposed rule amendment intends to clarify a delinquent 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: 456.036, 463.005(1) FS.

LAW IMPLEMENTED: 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-11.004 Delinquent ~~Status~~ License.

(1) No change.

(2) The delinquent ~~status~~ licensee must affirmatively apply for active or inactive status during the biennium in which the license becomes delinquent. The failure by the delinquent ~~status~~ licensee to cause the license to become active or inactive before the expiration of the biennium in which the license becomes delinquent shall render the license null and void without further action by the board or the Department of Health.

(3) The delinquent ~~status~~ licensee who applies for an active or inactive license status shall pay to the board ~~either the active status fee of subsection 64B13-6.001(3)(4), F.A.C., or the inactive status license fee of subsection 64B13-6.001(8), F.A.C.; and~~ the delinquent ~~status~~ license fee of subsection 64B13-6.001(13)(15), F.A.C.; and, if applicable, the change of status fee of subsection 64B13-6.001(14), F.A.C.

(4) The delinquent ~~status~~ licensee who applies for active status license shall, in addition to complying with (3) immediately above, affirm compliance with the continuing education requirements of Rule 64B13-5.001, F.A.C., for the years the licensee has been inactive or delinquent.

Specific Authority 456.036, 463.005(1) FS. Law Implemented 456.036 FS. History--New 12-22-94, Formerly 59V-11.004, Amended 8-29-99, 1-22-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2003

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLES:	RULE NOS.:
Initial Licensure Fee for Physical Therapists and Physical Therapy Assistants	64B17-2.002
Application Fees for Physical Therapist Assistant	64B17-2.003
Initial Licensure Fee for Physical Therapist Assistants	64B17-2.004
Fee to Enforce Prohibition Against Unlicensed Activity	64B17-2.008

PURPOSE AND EFFECT: The Board proposes to repeal the existing rules.

SUMMARY: The Board proposes to repeal the rules in their entirety so that the information can be consolidated and transferred into another rule.

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

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

SPECIFIC AUTHORITY: 456.013(2), 456.065, 486.025, 486.061, 486.103, 486.107(2) FS.

LAW IMPLEMENTED: 456.013(2), 456.065, 486.081(2), 486.103(1), 486.106, 486.107(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

64B17-2.002 Initial Licensure Fee for Physical Therapists and Physical Therapy Assistants.

Specific Authority 456.013(2), 486.025, 486.061 FS. Law Implemented 456.013(2), 486.081(2), 486.106 FS. History--New 8-6-84, Formerly 21M-7.35, Amended 6-20-89, Formerly 21M-7.035, Amended 10-17-90, Formerly 21MM-2.002, 61F11-2.002, 59Y-2.002, Amended 2-14-02, 4-21-02, Repealed \_\_\_\_\_.

64B17-2.003 Application Fees for Physical Therapist Assistant.

Specific Authority 486.025, 486.103(1), 486.107(2) FS. Law Implemented 486.103(1), 486.107(2) FS. History--New 12-13-83, Amended 5-29-85, Formerly 21M-10.25, Amended 6-20-89, Formerly 21M-10.025, 21MM-2.003, 61F11-2.003, 59Y-2.003, Amended 2-1-99, Repealed \_\_\_\_\_.

64B17-2.004 Initial Licensure Fee for Physical Therapist Assistants.

Specific Authority 486.025 FS. Law Implemented 456.013(2), 486.106, 486.107(2) FS. History--New 8-6-84, Formerly 21M-10.35, Amended 4-12-87, 9-22-87, 6-20-89, Formerly 21M-10.035, Amended 10-17-90, Formerly 21MM-2.004, 61F11-2.004, 59Y-2.004, Amended 2-14-02, Repealed \_\_\_\_\_.

64B17-2.008 Fee to Enforce Prohibition Against Unlicensed Activity.

Specific Authority 486.025, 456.065 FS. Law Implemented 456.065 FS. History--New 10-25-93, Formerly 61F11-2.008, 59Y-2.008, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE TITLE:	RULE NO.:
Current Applications Required	64B17-3.005

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

SUMMARY: The Board proposes to repeal the rule in its entirety so that the information can be consolidated and transferred into another rule.

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

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

SPECIFIC AUTHORITY: 486.023(4), 486.025 FS.

LAW IMPLEMENTED: 456.017(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-3.005 Current Applications Required.

Specific Authority 456.033(6), 486.025 FS. Law Implemented 456.013, 456.033, 486.031 FS. History--New 4-4-99, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2003

DEPARTMENT OF HEALTH
Board of Physical Therapy Practice

RULE TITLE: Current Applications Required
RULE NO.: 64B17-4.005
PURPOSE AND EFFECT: The Board proposes to repeal the existing rule.

SUMMARY: The Board proposes to repeal the rule in its entirety so that the information can be consolidated and transferred into another rule.

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

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

SPECIFIC AUTHORITY: 456.033(6), 486.025 FS.
LAW IMPLEMENTED: 456.013, 456.033, 486.102 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-4.005 Current Applications Required.

Specific Authority 456.033(6), 486.025 FS. Law Implemented 456.013, 456.033, 486.102 FS. History--New 4-4-99, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2003

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Forms for Client Notice and Contact
RULE NO.: 65A-1.400

PURPOSE AND EFFECT: The proposed amendment of Rule 65A-1.400, F.A.C., replaces an outdated edition of form CF-ES 2514, Authorization to Release Medical Information, with a revised edition.

SUMMARY OF RULE: This incorporates by reference of revised form CF-ES 2514, Authorization to Release Medical Information. Information is added to advise clients of requirements for the Health and Insurance Portability and Accountability Act (HIPAA) of 1996.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory cost was not prepared for this proposed rule amendment.

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

SPECIFIC AUTHORITY: 409.919, 409.953, 414.45 FS.
LAW IMPLEMENTED: Specific Appropriation 435, 2000 General Appropriations Act, 409.903, 409.904, 410.033, 414.065, 414.075, 414.085, 414.095, 414.105, 414.115, 414.122, 414.125, 414.13, 414.16, 414.21, 414.28, 414.31 FS.

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

TIME AND DATE: 9:00 a.m. - 10:00 a.m., February 9, 2004
PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nathan Lewis, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 448, Tallahassee, Florida 32399-0700, (850)414-5927

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.400 Forms for Client Notice and Contact.

- (1) No change.
(a) through (r) No change.
(s) CF-ES Form 2514, Authorization to Release 07/2003 Sep-02 Medical Information
(t) through (dd) No change.
(2) No change.

Specific Authority 409.919, 409.953, 410.033, 414.45 FS. Law Implemented 400.903, 409.904, 410.033, 414.065, 414.075, 414.085, 414.095, 414.105, 414.115, 414.122, 414.125, 414.13, 414.16, 414.21, 414.28, 414.31 FS. History--New 4-9-92, Amended 7-1-93, 8-3-94, Formerly 10C-1.400, Amended 12-29-98, 3-18-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pat Bailey, Management Review Specialist
NAME OF SUPERVISOR OR PERSON WHO APPROVED PROPOSED RULE: Nathan Lewis, Program Administrator, Public Assistance Policy Bureau

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: December 15, 2003  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: October 31, 2003

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE TITLES:	RULE NOS.:
Scope and Applicability	69O-149.002
Definitions	69O-149.0025
Rate Filing Procedures	69O-149.003
Experience Records	69O-149.004
Reasonableness of Benefits in Relation to Premiums	69O-149.005
Actuarial Memorandum	69O-149.006
Annual Rate Certification (ARC) Filing Procedures	69O-149.007
Form Filing Procedures	69O-149.021
Review	69O-149.023
Calculation of Premium Rates	69O-149.037
Employee Health Care Access Act Annual and Quarterly Statement Reporting Requirements	69O-149.038
Forms	69O-149.044
Purpose	69O-149.051
Establishing a Self-Funded Health Benefit Plan	69O-149.052
Ongoing Review of the Self-Funded Health Benefit Plan	69O-149.053
Forms Incorporated by Reference	69O-149.054

PURPOSE, EFFECT AND SUMMARY: The rules are being amended to update the filing standards for life and health filings and to update the standards applicable to health rate schedules.

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: 624.308, 624.308(1), 626.9611, 627.410(6)(b),(e), 627.6699(5)(i)3.a.,4.a., 627.6699(16), 627.805 FS.

LAW IMPLEMENTED: 112.08(2), 119.07(1)(b), 624.307(1), 624.424(6), 625.121, 626.9541(1), 626.99, 627.402, 627.410(1),(2),(6),(d),(e),(7), 627.411(1)(a),(e),(2), 627.474, 627.476, 627.6515(2)(a), 627.6699(5)(i)3.a.,4.a.,(6),(11), (12)(e),(13)(i), 627.807, 627.9175 FS.

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

TIME AND DATE: 1:30 p.m., February 10, 2004

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Frank Dino, dinof@dfs.state.fl.us  
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULES IS:

- 69O-149.002 Scope and Applicability.
  - (1) through (2) No change.
  - (3) Part I of Rule Chapter 69O-149, F.A.C. does not apply to:
    - (a) through (b) No change.
    - (4) through (5) No change.
    - (6) Pursuant to the provisions of Section 627.410(6)(b), F.S., rate filings required by Rules 69O-149.003, F.A.C. and ARC filings required by Rule 69O-149.007, F.A.C. are not required to be made for the following, however, the rating standards contained in this Part I and applicable statutes shall continue to apply as if the rate schedules were required to be filed for approval shall not apply to the following:
      - (a)1. Annually rated group health insurance policies as defined by Section 627.652(1), F.S., including blanket insurance as defined by Section 627.659, F.S., issued in this state that provide availability of coverage only to groups with 51 or more employees/members.
        - 2. No change.
        - 3. This filing exemption does not apply to stop-loss policy forms, unless the policy is issued only to employers with 51 or more employees.
        - (b) No change.
        - (7) ~~Notwithstanding the above, the rating standards contained in this Part I and applicable statutes shall apply to policies exempt from filing pursuant to subsection (6) above.~~
- Specific Authority 624.308(1), 627.410(6)(b) FS. Law Implemented 624.307(1), 627.402, 627.410(1),(2),(6),(7), 627.411(1)(e),(2), 627.6515(2)(a), 627.6699 FS. History--New 7-1-85, Formerly 4-58.02, 4-58.002, Amended 4-18-94, 4-9-95, 10-27-02, Formerly 4-149.002, Amended \_\_\_\_\_.
- 69O-149.0025 Definitions.
  - (1) through (2) No change.
  - (3) Anticipated Loss Ratio: The present value of future benefits divided by the present value of future premiums computed over the entire future lifetime of the policy form. For annually rated groups, the anticipated loss ratio expected over the rating period is also referred to as the target loss ratio.
  - (4) through (5) No change.
  - (6) Credible Data:
    - (a) No change.
    - (b) 1. No change.

2. For purposes of this section, a claim is counted as the first incidence or diagnosis of an event resulting in a covered benefit or series of covered benefits. It is not each provider encounter or service that may provide care or benefits due to such event.

3. A distinct incident resulting from a recurring chronic condition may be considered as a new claim if the incident triggering the claim is distinct from the incident triggering the prior claim, and the insured had recovered from the prior claim.

(c) through (d) No change.

(e) For coverage that is not subject to paragraph (f) below,:

1. Florida only experience shall be used if it is 100 percent credible.

2.a. If Florida experience is not 100 percent credible, a combination of Florida and nationwide experience shall be used.

b. The Florida data shall be given the weight of the ratio of the Florida credibility to the nationwide credibility. For example, if Florida data is 10 percent credible and nationwide is 40 percent credible, the Florida data will be given the weight of  $[(10\%/40\%)]$  25 percent.

c. The nationwide data shall be given the weight of the ratio of the nationwide credibility less the Florida credibility to the nationwide credibility. In the above example, the nationwide data will be given the weight of  $[(40\%-10\%)/40\%]$  75 percent data shall be used only if Florida only data is not fully credible, with the total credibility being the nationwide credibility level; i.e., if Florida data is 20 percent credible, and nationwide is 60 percent credible, the data will be weighted 20 percent Florida and 40 percent nationwide. If nationwide credibility is less than 100 percent credible, the complement, 40 percent in the above example, shall be weighted for medical trend, to the degree applicable.

d. The data is combined using the indicated weights (in the example above, the experience data would be weighted 25%/75%). The combination of the two weights will always equal 100 percent. A rate change is determined from the blended data. If the nationwide credibility is less than 100 percent, the indicated rate change is weighted by the nationwide credibility (40 percent in the above example) and medical trend, if applicable, by the compliment of the nationwide credibility (60 percent in the above example). If nationwide credibility is 100 percent, there would be no trend component.

3. The analysis in 2. above is equivalent to determining the indicated rate increase from the Florida only data and the total nationwide data separately, and then weighting the resulting rate changes from each distinct analysis by the credibility of each distinct component. In the example above, the Florida rate increase would be weighted by 10 percent, the nationwide rate increase would be weighted by 30 percent ( $40\%-10\%$  = the

non-Florida credibility component) and trend would be weighted by the complement of the nationwide credibility ( $1-40\%$ ) 60 percent.

(f) Due to the geographic pricing of medical expense coverage, Florida-only data shall be used for medical expense forms. When Florida data is not fully credible, the complement of the experience credibility factor shall be weighted with medical trend.

(7) through (13) No change.

(14) Incurred Claims: Claims occurring within a fixed period, whether or not paid during the same period, under the terms of the policy form.

~~(a) Claims include scheduled benefit payments, reimbursement benefit payments, or services provided by a provider or through a provider network for medical, dental, vision, disability, and similar health benefits.~~

~~(b) Claims do not include state assessments, taxes, company expenses, or any expense incurred by the company for the cost of adjusting and settling a claim, including the review, qualification, oversight, management or monitoring of a claim, or incentives or compensation to providers for other than the provision of health care services.~~

~~(c) A company may at its discretion include costs that are demonstrated to reduce claims, such as a fraud intervention program or case management costs, which are identified in each filing, and are demonstrated to reduce claims costs and do not result in increasing the experience period loss ratio by more than 5 percent.~~

~~(d) For scheduled claim payments, such as disability income or long term care, the incurred claims shall be the present value of the benefit payments discounted for continuance and interest.~~

(15) Line of Business: For rating purposes, the Office recognizes the following types of policy forms:

(a) through (b) No change.

(c) Medicare Supplement: Policy forms as defined in Part VIII of Chapter 627, F.S. which pay benefits supplementing the federal Medicare program. These are subject to Rule Chapter 4-156, F.A.C.

(d) Long Term Care: Policy forms as defined in Part XVIII of Chapter 627, F.S. which provide benefits as defined in Rule Chapter 4-157, F.A.C. These policies are subject to this Part I, except that the minimum loss ratios shall be as required by Rule Chapter 4-157, F.A.C. In the event of any conflict between this rule chapter and Rule Chapter 4-157, F.A.C., the latter shall prevail.

(e) No change.

(16) No change.

(17) Policy Form or Form: A single policy form or any collection of policy forms that have been combined for rating purposes. A collection once combined continues to be combined.

(18) through (21) No change.

(22) Similar Benefits:

(a) Policy forms ~~shall may~~ be considered by the insurer to have similar benefits if the benefit configuration under the forms is of the same type. Dental, hospital and accidental death are examples of different benefit configurations. Policy forms providing expense coverage are not considered similar to policy forms providing indemnity coverage.

(b) Covered services, benefit triggers, copay amounts, copay options, deductible sizes, daily limits, inside and outside limits may vary and ~~shall still~~ be considered by the insurer as having similar benefits ~~up to an entire line of business.~~

(23) Stop-Loss Insurance: Coverage purchased by an entity, generally an employer, for the purpose of covering the entity's obligation for the excess cost of medical care provided under a self-insured health benefit plan. Stop-loss coverage issued to a small employer shall not be subject to the requirements of Section 627.6699, F.S. For coverage to be considered as stop-loss insurance, the following standards shall be met:

(a) Has an attachment point for claims incurred per individual at least equal to \$20,000, and

(b) If the coverage provides aggregate excess, has an aggregate attachment point at least equal to:

1. 120 percent of expected claims for coverage issued to a small employer meeting the definition in Section 627.6699(3)(v), F.S., or

2. 110 percent of expected claims for coverage issued to groups not meeting the definition of small employer.

(24) Target Loss Ratio: For annually rated groups, the anticipated loss ratio over the rating period.

Specific Authority 624.308(1), 627.410(6)(b),(e) FS. Law Implemented 627.410(1),(2),(6), 627.411(1)(e) FS. History--New 6-19-03, Formerly 4-149.0025, Amended \_\_\_\_\_.

690-149.003 Rate Filing Procedures.

(1)(a) Pooling. For purposes of submitting a rate filing under this part for individual policy forms and for group Medicare supplement and long-term care group policy forms, in order to encourage adequate risk sharing for all generations of policyholders, the experience of all policy forms providing similar benefits, whether open or closed, providing for similar benefits shall be combined.

1. Separate rating pools combinations may be used for policy forms defined in subsections 690-149.005(5) and (6), F.A.C., and for stop-loss insurance policy forms.

2. Once policy forms have been combined, they remain so for all rating purposes, unless otherwise approved by the Office. This combining of the experience of policy forms is referred to as pooling. All policy forms within a pool are reviewed based on the analysis of the aggregate experience.

3. The same percentage rate adjustment shall be applicable to all policy forms within the pool.

4. In lieu of 3. above, percentage rate adjustments that are not the same for all policy forms within the pool shall be permitted subject to the following:

a. Resulting premium rate schedules are actuarially equivalent based on benefit differences or different regulatory standards, such as margins or retentions, between the policy forms within the pool;

b. Assumptions used to determine future experience and actuarial equivalence shall be based on the same set of common morbidity assumptions for all policy forms within the pool;

c. Policy forms with existing premium rate schedules not meeting the standards of a. and b. above shall not be required to reduce rates to bring the policy forms into compliance, but any proposed rate adjustment shall be required to improve the relationship of the policy forms' premium rate schedules to bring them closer to compliance with a. and b. above; and

d. Non-uniform rate increases shall be subject to the implementation provisions of sub-sub-subparagraph 690-149.006(3)(b)20.b.(V), F.A.C. on a revenue neutral basis as though a level percentage adjustment had been applied.

5. The experience of policies and policy forms where the rate schedule is not subject to change, such as non-cancellable policy forms and paid up policies, shall not be pooled with policy forms where the rates are subject to change.

6. The rate increase for a Medicare supplement form may be adjusted, on a revenue neutral basis, to mitigate the impact on the refund credit calculation required for the form pursuant to Rule 690-156.011, F.A.C., where the company can demonstrate that without such adjustment, the rate increase will result in refunds being required.

(b) Credibility. In analyzing the experience of policy forms, and to improve the statistical credibility and predictability of anticipated experience, credible data shall be used the following sequence shall be used: if the Florida experience is comprised of fully credible data, as defined in paragraph 4 149.006(4)(e), F.A.C., the Florida experience will be used; if not, then nationwide experience will be used. Once policy forms have been combined, they remain so for all rating purposes. When forms have been so combined, a rate revision request shall not differentiate between the experience of the individual forms, except to reflect benefit differences between forms.

(2) Filing Format for Individual Policies and Group Policies and Certificates.

(a)1. All filings shall be made in accordance with paragraph (b) below.

2. ~~All material submitted shall be legible. A filing which is illegible or which contains illegible material will be disapproved without any further processing.~~

~~2.a.3-~~ For purposes of the rules in this part and the time periods in Section 627.410, F.S., a filing is considered "filed" with the Office upon the receipt of the material required by



paragraph (b), on business days between the hours of 8:00 a.m. and 5:00 p.m. eastern time. Filings received outside of these times shall be considered to be received the following business day.

~~b. For Further~~, for purposes of the rules in this Part, the term "filed" does not mean "approved." The term "filed" refers to the date on which the filing is filed with the Office and is the date on which the approval process of Section 627.410, F.S., commences.

~~c. Filings shall be made on a company distinct basis. "Filing" with the Office does not constitute approval of the rate filing.~~

(b) A health insurance rate filing shall consist of ~~one copy of each of~~ the following items:

1. A brief letter explaining the type and nature of the filing. The letter shall indicate if the filing is for a new policy form, a benefit revision product, a rate revision, justification of existing rates, or a resubmission. If the filing is a resubmission, the letter shall indicate ~~when the previous filing was submitted, the Florida filing number of the prior filing, and the date of the disapproval.~~

2. No change.

3. The actuarial memorandum, completed as required by Rule 69O-149.006, F.A.C., "Actuarial Memorandum."

4. No change.

~~5. The material described in subsection (5), below, if applicable.~~

~~(3)(a) Filings shall be mailed to: Bureau of Life and Health Forms & Rates, Office of Insurance Regulation, Post Office Box 8040, Tallahassee, FL 32301-8040 or submitted electronically to <https://iportal.fldfs.com/>. All filings sent to the Office by Federal Express or any other form of special delivery shall be delivered to: Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, 1st Floor, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0328.~~

~~(b) Subsequent to July 1, 2003, all filings shall be submitted electronically to [https://iportal.fldfs.com](https://iportal.fldfs.com/), or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.~~

~~(4)(a) Every insurer submitting a rate filing shall be notified as to whether the filing has been affirmatively approved by the Office or has been disapproved by the Office, including disapprovals for failure of the material to meet the definition of a "filing" or for illegibility, within any statutory review period of the date of receipt of the filing.~~

(b) Submissions that do not include the required material to meet the definition of a filing, or that include material that is illegible, shall not be accepted and shall be returned as incomplete without processing.

(c) Every insurer submitting a rate filing which does not comply with the requirements of Rules 69O-149.002 through .006, F.A.C., or for which the Office determines that additional information is necessary for a proper review, will be notified of the additional information necessary within the statutory limit. Every insurer shall submit the required data by a date certain stated in the clarification letter, to allow the Office sufficient time to perform a proper review. Failure to correct the filing by the date certain in the clarification letter will result in an affirmative disapproval of the filing by the Office.

~~(5) After April 18, 1994, an insurer that agrees to administer or that purchases the business under a policy form from another insurer shall provide calendar year experience since inception of the Policy form (or the last 3 years for a group policy form, with no separation of experience data by issue year required), in the detail presented in subparagraph 4-149.006(3)(b)23., F.A.C. If the insurer believes that the data is not reasonably available and cannot be reasonably reconstructed at reasonable expense, then the insurer shall consult with the Department in order to address the issue of the required lifetime loss ratio. If, after such consultation, the experience since inception (or the last 3 years for a group policy form) is still required and is not provided, then any rate adjustment granted will be limited to the change in the Medical CPI for the most recent calendar year.~~

~~(5)(6)(a) Insurers with fewer than 1,000 Florida policyholders, under any form or pooled group of Medicare supplement, or medical expense forms with coverage meeting the definition of Section 627.6561(5)(a)2., F.S., may, at their option, file a streamlined rate increase filing not exceeding medical trend as provided in subsection (6)(7) below.~~

(b) The number indicated in paragraph ~~(5)(6)(a)~~ above represents the individual primary insureds and does not include spouses or dependants.

(c) For group coverage, the number indicated in paragraph ~~(5)(6)(a)~~ above represents the individual certificateholders or subscribers.

~~(d) For The only Medicare supplement business, to which this provision applies for each type considered separately: is Standard, Pre-standard and or Select Medicare supplement coverage where:~~

~~1. At least one plan is currently available for sale; and~~

~~2. The 1,000 reference above is measured as Florida policies or certificateholders for all plans, whether open or closed, combined.~~

~~(e) through (f) No change.~~

~~(6)(7)(a) The following tables shall apply to filings made pursuant to subsection (5)(6) above.~~

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

(d) The maximum medical trend for medical expense coverage described in Section 627.6561(5)(a)2., F.S., is:

Category	Individual	Individual	Group	Group
	Without Rx	With Rx	Without Rx	With Rx
Major Medical	15%	16%	15%	16%
Health Maintenance Organizations	<del>14%</del> <u>13%</u>	<del>15%</del> <u>14.5%</u>	<del>15%</del> <u>17%</u>	<del>16%</del> <u>18%</u>

(e) No change.

Specific Authority 624.308(1), 624.424(1)(c), 627.410(6)(b),(e) FS. Law Implemented 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 FS. History--New 7-1-85, Formerly 4-58.03, 4-58.003, Amended 8-23-93, 4-18-94, 8-22-95, 4-4-02, 10-27-02, Formerly 4-149.003, Amended \_\_\_\_\_.

690-149.004 Experience Records.

(1) through (2) No change.

(3)(a) If an insurer does not have all necessary data, and is unable to reconstruct the data at a reasonable expense, the insurer shall consult with the Office to address the issue of determining compliance with the required loss ratio standards.

(b) If the insurer is able to demonstrate that the missing data will not materially affect the analysis, the missing data shall not be required.

(c) If the missing data would affect the analysis, the missing data shall either be reconstructed, or a conservative estimate that minimizes the current rate increase request shall be used.

Specific Authority 624.308(1), 627.410(6)(b) FS. Law Implemented 627.410(6), 627.411(1)(e),(2) FS. History--New 7-1-85, Formerly 4-58.04, 4-58.004, Amended 4-18-94, Formerly 4-149.004, Amended \_\_\_\_\_.

690-149.005 Reasonableness of Benefits in Relation to Premiums.

(1) No change.

(2) A premium schedule is not excessive if the following are true:

(a) For a new policy form, group or individual, the anticipated loss ratio is not less than the indicated adjusted entry in the loss ratio tables, in subsection (4), below.

(b) 1. For individual forms, and group policy forms other than annually rated group policy forms approved on or after 2/1/94 or issued on or after 6/1/94, the Premium Schedule satisfies the following:

a.1. An Anticipated Loss Ratio test such that the present value of projected claims is not less than the present value of expected claims over the entire future lifetime of the form. This is equivalent to the present value of the future A/E ratio not being less than 1.0; and

b.2. The current lifetime loss ratio, as defined in subparagraph 690-149.006(3)(b)24., F.A.C., is not less than the initial filed loss ratio for the form as may be subsequently amended and approved pursuant to this rule chapter.

2. For annually rated group policy forms, the target loss ratio is not less than the loss ratio anticipated in the current premium schedule, as may be subsequently amended and approved pursuant to this rule chapter.

(c) through (d) No change.

(3) No change.

(4) Loss Ratios for Individual Policies and Group Certificates approved on or after 2/1/94 or issued on or after 6/1/94. These tables are not applicable to Medicare Supplement or Long-Term Care Policy Forms. The minimum loss ratios for those policy forms are found in Rule Chapters 690-156 and 690-157, F.A.C. respectively.

(a) The loss ratios in the tables below are adjusted in accordance with the following formula, where

R = the loss ratio from the table,

A = the average annual premium per individual policy or per group certificate,

R' = the adjusted loss ratio, and

I is as defined in subsection 690-149.005(3), F.A.C.

Then  $R' = (A-25I)R / A$  and R' cannot be more than 10 percentage points less than R, for coverage with at least 12 months and pro rata for coverage with less than 12 months, nor less than 50 percent; except R' cannot be less than 45 percent as to accident only non-cancellable policies.

(b) Loss Ratio Table – Group Policy Forms Policies

Group Size	Loss Ratio in %	Medical Indemnity or any policy with an average annual premium per certificate less than \$1000
<u>1. Group Medical Expense</u>		
		<u>Medical Expense</u>
		<u>Loss Ratio</u>
Fewer than 51 certificates	65%	57.5%
51 through 500 certificates	70%	62.5%
All others	75%	67.5%

2. Group Medical Indemnity or any Group Policy with an Average Annual Premium per Certificate of Less Than \$1000.

<del>Fewer than 51 certificates</del>	<del>57.5</del>
<del>51 through 500 certificates</del>	<del>62.5</del>
<del>All others</del>	<del>67.5</del>

(c) 1. Loss Ratio Table – Individual and Stop-loss Policy Forms Policies, for the Lines of Business indicated.

	Medical Expense	Medical Indemnity, Loss of Income
		<u>Loss Ratio</u>
Renewal Clause	Loss Ratio in %	
Non-Cancellable	55%	50%
Non-Renewable	60%	55%
Guaranteed Renewable	65%	60%
All Other	70%	65%
Minimum Acceptable	55%	50%

2. For purposes of determining the minimum required loss ratio for stop-loss policies, the average annual premium for purposes of determining the R' above, shall be the average premium per employee covered by the employer's stop-loss policy. Medical Indemnity, Loss of Income.

<u>Renewal Clause</u>	<u>Loss Ratio in %</u>
<u>Non-Cancelable</u>	<u>50</u>
<u>Non-Renewable</u>	<u>55</u>
<u>Guaranteed Renewable</u>	<u>60</u>
<u>All Other</u>	<u>65</u>
<u>Minimum Acceptable</u>	<u>50</u>

(5) through (6) No change.

(7) As provided by Section 627.411(3)(a), F.S., the minimum loss ratio in the above tables for health insurance coverage as described in Section 627.6561(5)(a)2., F.S. shall be at least 65 percent.

~~(8)(7)~~ Anticipated loss ratios lower than those otherwise required by this part shall not be permitted unless the insurer demonstrates that the proposed loss ratios are in accordance with sound actuarial principles; ~~will not result in premium escalations that are not viable for the particular policyholder market at issue;~~ do not result in unfair discrimination in sales practices; and are otherwise in substantial compliance with the requirements of this part.

~~(9)(8)~~ A premium schedule shall not be disapproved on the grounds of inadequacy if:

(a) through (c) No change.

~~(10)(9)~~ A premium schedule is unfairly discriminatory if it incorporates any of the following: ~~rate prohibitions in subsection (10), below.~~

~~(10) Prohibitions:~~

(a) through (c) No change.

(11) Attained age rated individual medical expense health insurance coverage may incorporate into the rate schedule a rating factor that provides for a reapplication of the factor subsequent to the original issuance of the coverage, subject to the following:

(a) The factor shall be limited to those categories where an insured is able to qualify for the factor based solely on the insured's right to apply for the option at the time, such as continued discount for non-tobacco use;

(b) The determination for qualification of the factor shall be based on well-defined objective criteria;

(c) Health or claim status of the insured does not limit the ability of an individual to qualify for the factor;

(d) The factor shall be applied uniformly to all insureds;

(e) The timing of the redetermination of the factor shall be predetermined and disclosed in the policy. The application of the factor shall be in a nondiscriminatory manner; i.e., at every anniversary, at each third year anniversary, etc.;

(f) The availability, initial determination, redetermination, or value of the factor is not based on any health-status-related factors, as described in Section 627.65625(1), F.S. in relation to the individual or a covered dependant of the individual.

Specific Authority 624.308(1), 627.410(6)(d),(e) FS. Law Implemented 626.9541(1), 627.410(6)(d),(e), 627.410(7), 627.411(1)(a),(e), 627.9175 FS. History--New 7-1-85, Formerly 4-58.05, 4-58.005, Amended 4-18-94, 11-20-02, Formerly 4-149.005, Amended \_\_\_\_\_.

69O-149.006 Actuarial Memorandum.

(1) through (2) No change.

(3) Descriptions.

(a)1. For new filings, ~~for~~ rate revisions, and ~~for~~ justification of existing rates, the assumptions presented shall be ~~those that are~~ appropriate at the time of the filing.

2. Rate revision filings shall clearly identify all rating factors or methods proposed to be changed.

3. New policy forms shall include a rate and benefit comparison to at least the two largest volume policy forms of the insurer that provide similar benefits, including all forms currently available for sale. The insurer shall demonstrate that the proposed premium rate schedule represents an actuarially sound relationship between the policy forms and between benefit options within policy forms, giving appropriate consideration to experience emerging under existing forms.

(b) The descriptions, by item number, of the terms listed above in subsection (2) follow:

1. through 16. No change.

17. Active Life Reserves: ~~This section shall provide a description of the reserve method to be used for this Policy Form. The parameters of mortality morbidity and interest shall be presented. Sample calculations for selected ages and durations shall be displayed in new policy form filings. Because these reserves do not represent claim payments, but provide for timing differences, they shall not be included in any benefit and loss ratio calculations. The active life reserve as of the evaluation date for rate revision filings shall be provided.~~

18. No change.

19. Minimum Required Loss Ratio for the Form: This section shall state the minimum required loss ratio for the form ~~as defined in Rule 4-149.005, F.A.C.~~

20. Anticipated Loss Ratio: This section shall provide the anticipated loss ratio and the interest rate(s) used in the determination of the value. The target loss ratio for an annually rated group policy form may be reduced upon demonstration and justification of an increase in administrative costs, but not less than the minimum required standard for the policy form.

a. When claim cost projections include the effect of medical trend, such as for Medicare supplement and medical expense coverage, premium projections shall also include the effects of such trend.

b. No change.

21. through 22. No change.

23. Experience on the Form (Past and Future Anticipated): This section shall display the actual experience on the form and that expected for the future.

a. Past Experience: Experience from inception (or the last ~~3~~ three years for annually rated group coverages, ~~with no separation of experience data by issue year required~~) shall be displayed, although, with proper interest adjustment, the experience for calendar years more than ~~10~~ 5 years in the past may be combined. Excluding annually rated group policy forms, earned premiums, actual incurred and expected claims experience shall also be displayed, for ~~For each calendar year and, where appropriate, each policy year or issue year within the calendar year. The~~ following information shall be displayed (A sample experience exhibit is illustrated in Appendix A):

~~(I)~~a. Year,

~~(II)~~b. Earned premium,

~~(III)~~c. Paid claims, for past periods only

~~(IV)~~d. Change in claim liability and reserve, for past periods only. These reserves shall be updated to reflect actual claim runoff as it develops.

~~(V)~~e. Incurred claims (=(III)+(IV)) ~~(=(c)+(d))~~,

~~(VI)~~f. Incurred loss ratio (=(V)/(II)) ~~(=(e)/(b))~~,

~~(VII)~~g. Expected loss ratio,

~~(VIII)~~h. Expected incurred claims,

~~(IX)~~i. Actual-to-expected claims (=(V)/(VIII)) ~~(=(e)/(h))~~ or equivalently (=(VI)/(VII)) ~~(=(f)/(g))~~,

j. Active Life Reserves;

~~(X)~~k. Earned premium on a manual rate basis for at least the past 5 calendar years or the experience period used for projection purposes ~~3 years~~ for annually rated group products; i.e., removing the impact of adjustments to the approved rate manual due to; underwriter adjustments, the impact of any rate limits, and experience rating. This restatement to a manual basis does not apply to annually rated large group products exempt from the filing and prior approval of rate schedules as provided by subsection 690-149.002(6), F.A.C.

~~(XI)~~l. Earned premium on a current constant rate basis for at least the past 5 calendar years or the experience period used for projection purposes for annually rated group products. This is not required for annually rated group products exempt from the filing and prior approval of rate schedules as provided by subsection 690-149.002(6), F.A.C unless requested. ~~For future years, all columns except (c), (d), and (l) shall be displayed. For periods where the actual claim runoff is complete, that data shall be displayed to replace (d).~~

~~The experience exhibit shall be available to be submitted electronically in an Excel worksheet upon request directly to the assigned analyst.~~

b. Future periods where the projected values are based on inforce experience:

(I) The experience period used as the basis for determining projected values shall be clearly indicated.

(II) The experience period shall reflect the most current data available, generally the most recent 12 months for coverage subject to medical inflation or the period of time to determine credible data pursuant to subsection 690-149.0025(6), F.A.C.

(III) An exhibit showing the development of the expected claims and A/E ratio for the experience period shall be provided. (A sample exhibit demonstrating an expected development is illustrated in Appendix A)

(IV) The projected values shall represent the experience that the actuary fully expects to occur. In order for the proposed premium schedule or rate change to be reasonable, the underlying experience used as the basis of a projection must be reflective of the experience anticipated over the rating period. The Office will consider how the following items are considered in evaluating the reasonableness of the projections and ultimate rates. In order to expedite the review process, the actuary is encouraged to provide information on how each of the following have or have not been addressed in the experience period data used as the basis for determining projected values, or otherwise addressed in the ratemaking process.

(A) Large nonrecurring claims;

(B) Seasonality of claims;

(C) Prior rate changes not fully realized;

(D) Rate limits, rate guarantees, and other rates not charged at the full manual rate level;

(E) Experience rating, if any;

(F) Reinsurance costs and recoveries for excess claims subject to non-proportional reinsurance;

(G) Coordination of benefits and subrogation;

(H) Benefit changes during the experience period or anticipated for the rating period;

(I) Operational changes during the experience period or anticipated for the rating period that will affect claim costs;

(J) Punitive damages, lobbying, or other costs that are not policy benefits;

(K) Claim costs paid which exceed contract terms or provisions;

(L) Benefit payments triggered by the death of an insured, such as waiver of premium or spousal benefits;

(M) Risk charges for excess group conversion costs or other similar costs for transferring risk;

(N) The extent and justification of any claim administration expenses included in claim costs; and

(O) Other actuarial considerations that affect the determination of projected values.

(V) The method or formulas, including necessary assumptions and sample calculations, used in determining the projected values from the experience period used shall be provided.

(VI) Projection years shall include columns I, II, V, VI, VII, VIII and IX as indicated in 23.a. above.

(VII) Projections shall be based on existing inforce business with no new sales assumed during the projection period.

(VIII) A summary of the historical and projected data shall be provided for all experience columns providing the accumulated past values, future values, and lifetime values both with and without interest and with and without the proposed rate change.

c. Projections for new forms or otherwise not based on experience shall:

(I) Project an initial assumed cohort of new business with no new sales assumed during the projection period; and

(II) Shall display columns for each policy year, anticipated premiums, claims and loss ratios and include the lifetime values both with and without interest.

d. The experience exhibit shall be available to be submitted upon request directly to the assigned analyst electronically in an Excel worksheet.

24. No change.

25. History of Rate Adjustments: This section shall list the approval dates and average percentage rate adjustments both nationwide and in Florida for the last 5 years. Nationwide information is not required when Florida data is 100 percent credible since inception.

26. through 27. No change.

28. Actuarial Certification:

a. Certification by a qualified actuary that to the best of the actuary's knowledge and judgment:

(I) The entire rate filing is in compliance with the applicable laws of the State of Florida and with the rules of the Office;

(II) Complies with all applicable Actuarial Standards of Practice Actuarial Standard of Practice No. 8, "Regulatory Filings for Rates and Financial Projections for Health Plans," as adopted by the Actuarial Standards Board, January, 1989, which standard is hereby adopted and incorporated by reference; and

(III) The benefits provided are reasonable in relation to the proposed premiums. The premium schedule is not excessive, inadequate, nor unfairly discriminatory.

b. In making the certification;

(I) The actuary shall recognize that the certification is a prescribed statement of actuarial opinion.

(II) The applicable Actuarial Standards of Practice are as provided in the Applicability Guidelines for Actuarial Standards of Practice, second edition, as developed by the

Council on Professionalism of the American Academy of Actuaries, August 1999, which standard is hereby adopted and incorporated by reference the definition of reasonableness means that the premiums are not excessive, not inadequate, and not unfairly discriminatory as these terms are described in Rule 4-149.005, F.A.C.

c. A copy of the Applicability Guidelines for Actuarial Standards of Practice standard may be obtained from the Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, Larson Building, Tallahassee, FL 32399-0328.

d. A qualified actuary is one who is a member of the Society of Actuaries or the American Academy of Actuaries, and who is qualified in the area of health insurance.

e. If the actuary is unable to provide the certification without qualification provides a qualified opinion, a detailed explanation and reason for the qualification shall be provided as part of the certification.

~~f. In providing the actuarial opinion and certification, the actuary shall consider actuarial standards of practice and the qualification standards for prescribed statements of actuarial opinion.~~

Specific Authority 624.308(1), 627.410(6)(b),(e) FS. Law Implemented 627.410(1),(2),(6), 627.411(1)(e) FS. History--New 7-1-85, Formerly 4-58.06, 4-58.006, Amended 4-18-94, 4-9-95, 11-20-02, Formerly 4-149.006. Amended

690-149.007 Annual Rate Certification (ARC) Filing Procedures.

(1) This rule applies to filing made pursuant to Section 627.410(7)(b)2., F.S. in which no rate change is proposed.

~~(a) This rule applies to every insurer writing health insurance, defined as insurance of human beings against bodily injury, disablement, or death by accident or accidental means, or the expense thereof, or against disablement or expense resulting from sickness, and every insurance appertaining thereto but excluding workers' compensation coverages.~~

~~(b) Policies and forms identified in subsection 4-149.002(5), F.A.C., which are indicated to be subject to only those rules in effect on October 1, 1993, are not subject to paragraph 4-149.007(5)(a), F.A.C., but are subject to the filing provisions of paragraph 4-149.007(5)(b) or (c), F.A.C., for the annual rate certification required by Section 627.410(7)(b)2., F.S.~~

~~(2) Each insurer shall make an annual filing with the Office for each policy form or pooled block of forms no later than 12 months after the date of approval of its previous filing for the policy form, demonstrating the reasonableness of benefits in relation to premium rates.~~

~~(2)(3) The filings required by this rule shall be on an individual company basis.~~

(3) This rule is not applicable for Medicare supplement coverage. Medicare supplement forms are subject to Rule 690-149.003, F.A.C.

~~(4) As used in this rule, a pooled block of policy forms consists of similar policy forms which have been grouped after receiving approval from the Office to do so. Once pooling approval has been granted, the block must remain pooled for all rating purposes.~~

~~(5) Filing Preparation. Filings shall be prepared in accordance with either (a), (b) or (c) below.~~

~~(a) A rate filing in accordance with Rule 4-149.003, F.A.C., which shall be prepared under the direction of an actuary and which contains documentation that the proposed benefits are reasonable in relation to the premium rates, pursuant to the applicable rating laws and rules adopted by the Office.~~

~~(4) Non-cancellable coverages which are no longer available for sale and which have not been sold or marketed for at least 5 years shall be exempt from the filing requirements of this rule.~~

~~(5)(b) A filing If no rate change is proposed and the form is other than Medicare supplement, a filing shall be prepared which consists of:~~

~~(a)1- A cover letter indicating the nature of the filing;~~

~~(b)2- A copy of standardized data letter, Form OIR-B2-1507, as adopted in Rule 69O-149.022, F.A.C.; and~~

~~(c)3- A certification by an actuary, in accordance with subparagraph 69O-149.006(3)(b)28., F.A.C.~~

~~(6)(a) A filing shall include only forms that are pooled together for rating purposes. Separate filings shall be made for separate rating pools.~~

~~(b) Forms that are pooled together for rating purposes should be submitted under a single ARC filing. The company may request that an ARC filing may be made for a form separate from the other forms within the rating pool. Making separate ARC filings for forms that would otherwise be considered combined for rating purposes does not constitute a change in the forms to be pooled for rating purposes. At the time any of the forms would be filed for a rate change, all forms shall be pooled as required by subsection 69O-149.003(1), F.A.C., regardless of how the forms were filed for ARC compliance.~~

~~(7)(e) For noncredible blocks of business on a nationwide basis, the company may request a waiver of the requirement. The request shall be made annually and be accompanied by a letter indicating the nature of the filing, the type of product, and the reason for the request.~~

~~(8)(6) When a company using a current rate schedule is unable to demonstrate that the minimum loss ratio standards in Rule 69O-149.005, F.A.C. are met, it shall reduce rates, enhance benefits, or a combination of both to satisfy the standards.~~

(a) A company may make a certification in compliance with this rule paragraph (b) above without such change to benefits or premiums if the A/E ratio for the past experience periods are, both in pattern and aggregate value, consistently at or in excess of .85.

(b) In determining the necessary adjustment, the company may assume up to a 15 percent margin in future projected claim costs, and may target a future and lifetime actual to expected ratio of .85.

(9) A company may request exemption from all future ARC filings upon demonstration that the form or rating pool consists only of policy forms which are no longer available for sale and:

(a) The company has no other form with similar benefits that is currently available for sale.

(b) The accumulated experience from inception to date exceeds the required lifetime loss ratio standard for the form.

(c) The present value of future premiums is less than 10 percent of the accumulated value of past earned premiums or the data is 0 percent credible, and

(e) The company certifies that it will not increase premiums in the future.

(10) All filings made pursuant to this rule shall be on a company distinct basis and submitted electronically to <https://iportal.fldfs.com/>

Specific Authority 624.308 FS. Law Implemented 627.410 FS. History--New 5-14-92, Amended 11-20-02, Formerly 4-149.007, Amended \_\_\_\_\_.

69O-149.021 Form Filing Procedures.

(1)(a)1. All filings shall be made in accordance with paragraph (b) below.

~~2. All material submitted shall be legible. A file which is illegible or which contains illegible material will be disapproved without any further processing.~~

2.a.3- For purposes of the rules in this part and the time periods in Section 627.410, F.S., a filing is considered "filed" with the Office upon the receipt of the material required by paragraph (b), on business days between the hours of 8:00 a.m. and 5:00 p.m. eastern time. Filings received outside of these times shall be considered to be received the following business day.

b. For purposes of the rules in this part, the term "filed" does not mean "approved." The term "filed" refers to the date on which the filing is filed with the Office and is the date on which the approval process of Section 627.410, F.S., commences.

~~e. "Filing" with the Office does not constitute approval of the form filing.~~

(b) A form filing shall consist of ~~one copy of each~~ of the following items:

1.a. A brief transmittal letter explaining the type and nature of the filing, including the subject, the purpose, and any unusual features relative to products being sold by other companies. The letter shall also indicate if the filing is new or is a resubmission.

b. If the filing is a resubmission, the letter shall indicate ~~when the previous filing was submitted~~, the Florida filing number ~~of the prior filing and the date of the disapproval~~.

c. If the filing is either a group life or a group annuity form, the letter shall indicate the Florida statute number under which the form is to be issued.

2. through 4. No change.

5. ~~One copy of~~ the form(s) being filed. Each form shall ~~must~~ include the name of the company, and ~~each form must~~ have an identifying form number in the lower left hand corner of the first page of the form.

6. No change.

(2) through (4) No change.

~~(5)(a) Complete filings shall be mailed to: Bureau of Life and Health Forms & Rates, Office of Insurance Regulation, Post Office Box 8040, Tallahassee, FL 32301-8040 or submitted electronically to https://iportal.fldfs.com. All filings sent to the Office by Federal Express or any other form of special delivery shall be delivered to: Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, 1st Floor, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0328.~~

~~(b) Subsequent to July 1, 2003, all filings shall be submitted electronically to https://iportal.fldfs.com, or by computer diskette meeting the compatibility requirements mandated by section 624.424(1)(c) F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.~~

~~(6)(a) Every insurer submitting a form filing shall be notified as to whether the filing has been affirmatively approved by the Office, or has been disapproved by the Office, including disapprovals for failure of the material to meet the definition of a "filing" or for illegibility, within any statutory review period of the date of receipt of the filing.~~

~~(b) Submissions that do not include the required material to meet the definition of a filing, or that include material that is illegible, shall not be accepted and shall be returned as incomplete without processing.~~

~~(c) Every insurer submitting a form filing for which the Office determines that additional information is necessary for a proper review will be notified of the additional information within the statutory limit. Every insurer shall submit the required data by a date certain stated in the clarification letter to allow the Office sufficient time to perform a proper review. Failure to correct the filing by the date certain in the clarification letter will result in an affirmative disapproval of the filing by the Office.~~

(7) No change.

~~Specific Authority 624.308, 624.424(1)(c) FS. Law Implemented 624.307, 625.121, 627.410, 627.476, 627.807 FS. History—New 10-29-91, Amended 8-23-93, 4-18-94, 8-22-95, 5-15-96, 4-4-02, Formerly 4-149.021, Amended \_\_\_\_\_.~~

690-149.023 Review.

(1) through (4) No change.

~~(5) Section 626.99(4), F.S., requires a buyer's guide and a policy summary to be provided to prospective purchasers of life insurance under certain circumstances. Section 626.99(3)(h)7., F.S., requires disclosure of cost indexes as of 10 and 20 years from issue be included as part of the policy summary but in no cases should such indexes be displayed for years beyond the premium-paying period. Filings to which this section is applicable will be disapproved unless the filing includes documentation, for the sample policy only, showing compliance with Section 626.99(3)(h)7., F.S.~~

~~Specific Authority 624.308, 627.805, 626.9611 FS. Law Implemented 624.307, 625.121, 626.9541, 626.9641, 626.99, 627.410, 627.411, 627.474, 627.476 FS. History—New 5-15-96, Formerly 4-149.023, Amended \_\_\_\_\_.~~

690-149.037 Calculation of Premium Rates.

(1) through (5) No change.

(6)(a)1. No change.

2.a. The objective criteria and standards for application of this rate adjustment shall be applicable to and used for all small employer groups on a non-discriminatory basis.

b. The reporting requirements and standards of Section 627.6699(6)(b)5., F.S. and subsection 690-149.038(3), F.A.C. shall be met based on the aggregate experience.

c. If a carrier chooses to utilize a different method of collecting health information, such as individual detailed questions to be completed by each employee for groups up to a certain size, and group collection methods for groups over that size, the reporting requirements of Section 627.6699(6)(b)5., F.S. and subsection 690-149.038(3), F.A.C. shall be submitted for each segment of the market for which different methods of collecting health information are used.

3. through 5. No change.

(b) through (d) No change.

~~Specific Authority 624.308(1), 627.6699(16) FS. Law Implemented 627.410, 627.6699(6), (12)(e), (13), (13)(i) FS. History—New 3-1-93, Amended 11-7-93, 5-11-94, 4-23-95, 8-4-02, Formerly 4-149.037, Amended \_\_\_\_\_.~~

690-149.038 Employee Health Care Access Act Annual and Quarterly Statement Reporting Requirement.

(1)(a) No change.

(b) The company shall file an actuarial certification, pursuant to paragraph 690-149.044(2)(b), F.A.C., that the carrier is in compliance with the provisions of Section 627.6699(6), F.S., as required by Section 627.6699(8)(b), F.S., and that the rating methods of the carrier are actuarially sound. The actuary shall provide a detailed explanation if this certification cannot be made.

(2) Quarterly Reports: Within 45 days following each calendar quarter each small employer carrier shall file, pursuant to paragraph 69O-149.044(2)(b), F.A.C., a report on Form OIR-B2-1117, Florida Employee Health Care Access Act Enrollment Report, adopted in Rule 69O-149.044, F.A.C.

(3)(a) All small employer carriers utilizing rating adjustments pursuant to subsection 69O-149.037(6)(7), F.A.C. shall make semiannual reports ~~that reflect their of their experience. The semiannual reports shall reflect~~ experience from January 1 through June 30 and from July 1 through December 31 of each year. The reports shall be filed with the Office, pursuant to paragraph 69O-149.044(2)(b), F.A.C., within 45 days following the last day of the reporting period using Form OIR-B2-1575, "Small employer Group Underwriting Experience Report Form" adopted in Rule 69O-149.044, F.A.C. The carrier shall report:

- ~~1. The average number of employer groups during the reporting period.~~
- ~~2. The average number of covered employees during the reporting period.~~
- ~~3. Actual earned premiums during the reporting period.~~
- ~~4. Premiums that would have resulted from charging the approved community rate, excluding administrative and acquisition credits.~~
- ~~5. Premiums that would have resulted from charging the approved community rate, including administrative and acquisition credits.~~
- ~~6. (4)-(5) Total administrative and acquisition credits.~~
- ~~7. (3)-(4) Total deviation due to claims, health and duration status.~~
- ~~8. (7)-(4) Percentage deviation of charged rate to community rate for claims, health and duration status.~~

(b) If the percentage deviation from the modified community rate due to adjustments in the rate actually charged policyholders for claim experience, health status, or duration adjustments (3)(a)8. above is 5 percent or more, the carrier shall limit the application of claim experience, health status, or duration adjustments to credits only effective no more than 60 days following the report date. This shall apply to all groups with original issue dates or anniversary dates for renewals on or after this 60 days. If a group was in process of application review and issuance, and would have received a surcharge, but the policy was not issued or renewed until after the 60 day period, the surcharge may not be applied.

(c) No change.

(d) A carrier that is limited to credits only, pursuant to paragraph (b) or (c) above, shall be limited to credits only until a subsequent reporting period demonstrating that the percentage deviation from the modified community rate due to adjustments in the rate actually charged policyholders for claim experience, health status, or duration adjustments subparagraph (3)(a)8. above is less than 5 percent.

Specific Authority 627.6699(5)(i)3.a.,4.a.,(16) FS. Law Implemented 624.424(6), 627.6699(5)(i)3.a.,4.a. FS. History—New 3-1-93, Amended 11-7-93, 8-4-02, 6-19-03, Formerly 4-149.038, Amended

69O-149.044 Forms.

(1) The following forms are hereby adopted and incorporated by reference:

(a) OIR-B2-1094, rev. 11/01, Report of Gross Annual Premiums and Enrollment Data for Health Benefit Plans Issued to Florida Residents.

(b) OIR-B2-1117, rev. 5/02, Florida Employee Health Care Access Act Enrollment Report.

(c) OIR-B2-1093, rev. 5/02, State of Florida/Small Employer Carrier's Application to Become a Risk Assuming Carrier or a Reinsuring Carrier, as Required by Section 627.6475(5), F.S.

(d) OIR-B2-1095, rev. 5/02, State of Florida/Small Employer Carrier's Application to Modify Previous Election to Become a Risk Assuming or a Reinsuring Carrier, As Required by Section 627.6699(9), F.S.

(e) OIR-B2-1575, rev. 9/03, Small employer Group Underwriting Experience Report Form.

(2)(a) ~~Copies of forms may be obtained from the Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0328. Forms are also available and may be printed from the Office's website: <http://www.fldfs.com/www.doi.state.fl.us>~~

(b) Filings shall be submitted ~~to the address in paragraph (a) above, or may be submitted electronically through <https://iportal.fldfs.com>.~~

Specific Authority 624.308(1), 626.9641, 627.6699(16) FS. Law Implemented 626.9541, 627.401, 627.410, 627.411, 627.6699 FS. History—New 8-4-02, Formerly 4-149.044, Amended

69O-149.051 Purpose.

Specific Authority 112.08(6) FS. Law Implemented 112.08 FS. History—New 7-9-91, Formerly 4-111.001, Formerly 4-149.051, Repealed

69O-149.052 Establishing a Self-Funded Health Benefit Plan.

(1) Prior to establishing a Self-Funded Health Benefit Plan, the local governmental unit shall submit the following:

(a) ~~A~~ a copy of its Plan, including a list of its offered benefits;

(b) Form OIR-B2-570, "General Information on Self-Funded Health Benefit Plans"; as adopted in Rule 69O-149.154, F.A.C.;

(c) Form OIR-B2-571, "New Plan Operating Projections for Self-Funded Health Benefit Plans ~~Specific Information on Self-Funded Health Benefit Plans~~"; and as adopted in Rule 69O-149.154, F.A.C.;

(d) Form OIR-B2-573, "Operating Projections for Self-Funded Health Benefit Plans"; as adopted in Rule 69O-149.154, F.A.C.; and which are hereby adopted and



~~incorporated by reference. The forms may be obtained by writing to the Office of Insurance Regulation, Bureau of Life and Health Forms and Rates, Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0328. The forms may be reproduced at will.~~

~~(e) A certification as to the actuarial soundness of the Plan prepared by an actuary who is a member of the Society of Actuaries or the American Academy of Actuaries accompanied by an explanation or basis of how the certification was made.~~

~~(2) The filing forms adopted in subsection (1), above, shall be submitted to the Office electronically through <https://portal.fldfs.com/> accompanied by a certification as to the actuarial soundness of the Plan prepared by an actuary who is a member of the Society of Actuaries or the American Academy of Actuaries.~~

~~Specific Authority 112.08(6) FS. Law Implemented 112.08(2) FS. History-New 7-9-91, Formerly 4-111.002, Formerly 4-149.052, Amended \_\_\_\_\_.~~

690-149.053 On-Going Review of the Self-Funded Health Benefit Plan.

(1) Once the Plan has been approved by the Office and has commenced operations, the local governmental unit shall submit the following to the Office, no later than 90 days after the close of the Plan's fiscal year:

(a) Form OIR-B2-570 "General Information on Self-Funded Health Benefit Plans", as adopted in Rule 690-149.154, F.A.C.;

(b) Form OIR-B2-572, "Annual Report of Self-Funded Health Benefit Plans", as adopted in Rule 690-149.154, F.A.C.; ~~which is hereby adopted and incorporated by reference. In addition, the local governmental unit shall submit~~

(c) Form OIR-B2-573, "Operating Projections for Self-Funded Health Benefit Plans", as adopted in Rule 690-149.154, F.A.C.; ~~as adopted and incorporated by reference in subsection 4 149.052(1), F.A.C. If the current fiscal year shows a fund deficit, the local governmental unit shall submit~~

(d) Form OIR-B2-574, "General Information and Surplus Statement ~~Deficit Elimination Plan~~ for Self-Funded Health Benefit Plans", as adopted in Rule 690-149.154, F.A.C. ~~which is hereby adopted and incorporated by reference; and~~

(e) A certification as to the actuarial soundness of the Plan prepared by an actuary who is a member of the Society of Actuaries or the American Academy of Actuaries accompanied by an explanation or basis of how the certification was made.

(2) The filing shall be submitted to the Office electronically through <https://portal.fldfs.com/>. ~~All forms adopted in this rule may be obtained from the Bureau of Life and Health Rate and Reserve Analysis and may be reproduced at will.~~

Specific Authority 112.08(6) FS. Law Implemented 112.08(2) FS. History-New 7-9-91, Formerly 4-111.003, Formerly 4-149.053, Amended \_\_\_\_\_.

690-149.054 Forms Incorporated by Reference.

(1) The following forms are hereby adopted and incorporated by reference:

(a) Form OIR-B2-570 (12/03) "General Information on Self-Funded Health Benefit Plans";

(b) Form OIR-B2-571 (12/03) "New Plan Operating Projections for Self-Funded Health Benefit Plans";

(c) Form OIR-B2-572 (12/03) "Annual Report of Self-Funded Health Benefit Plans";

(d) Form OIR-B2-573 (12/03) "Operating Projections for Self-Funded Health Benefit Plans";

(e) Form OIR-B2-574 (12/03) "General Information and Surplus Statement for Self-Funded Health Benefit Plans";

(2) The above forms are hereby adopted and incorporated by reference.

(3) All forms are available and may be printed from the Office website: <http://www.fldfs.com/>.

Statutory Authority 112.08(6) FS. Law Implemented 112.08 FS. History-New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Frank Dino, Bureau of Life and Health Forms and Rates,  
Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Richard Robleto, Chief, Bureau of  
Life and Health Forms and Rates, Office of Insurance  
Regulation

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: June 27, 2003 and October 17, 2003

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

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Division of Plant Industry

RULE NO.:  
5B-54.018

RULE TITLE:  
Compensation for Infested or  
Infected Colonies

#### 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. 50, December 12, 2003, issue of the Florida Administrative Weekly.

Text of Proposed Rule Change Is:

5B-54.018 Compensation for Infested or Infected Colonies.

(1) Florida resident owners of colonies and regulated articles destroyed due to infection or infestation with American foulbrood will shall be compensated at the rate of 1/2 the estimated value of the honeybees and equipment, provided funding is available for this purpose; however, compensation shall not exceed \$30.00 per colony. Also, compensation will be paid in full for the first 10 diseased colonies, after which payment will be discounted as follows: If the disease rate exceeds 50 percent of the total colony inventory, then the payment will be discounted 50 percent. The condition of the equipment to be destroyed shall be rated by the inspector and the beekeeper as good, fair, or poor. Any disagreement over the condition or value of equipment to be destroyed shall be arbitrated by the Chief of Apiary Inspection, the Cooperative Extension Service Apiary Specialist, and the Chairman of the Honeybee Technical Council. A Compensation Agreement, including the owner's Social Security number, must be signed by the owner. The Compensation Agreement form, DACS-08062, Revised 7/99, is hereby incorporated in this rule by reference. A copy of DACS-08062 may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, Post Office Box 147100, Gainesville, Florida 32614-7100.

(2) No change.

Specific Authority 586.10(2) FS. Law Implemented 586.13, 586.14 FS. History--New 11-22-88, Amended 11-4-92, 6-20-00, \_\_\_\_\_.

**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 NO.: 25-30.445  
RULE TITLE: General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed Rule 25-30.445, F.A.C., in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 45, November 7, 2003, issue of the Florida Administrative Weekly. The changes have been made to the proposed rule to

address comments made by the Joint Administrative Procedures Committee and to correct inadvertent errors in reference to forms contained in the rule.

Paragraph (4)(m) of Rule 25-30.445, F.A.C., is changed as follows:

(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, from Form PSC/ECR 19 (11/93), entitled "Class A Water and/or Wastewater Utilities Financial, Rate and Engineering Minimum Filing Requirements", ~~should be provided 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))~~. The schedules can be obtained from the Commission's Division of Economic Regulation.

1. Schedule E-2, entitled "Revenue Schedule at Present and Proposed Rates", ~~Revenue Schedule at Test Year Rates—Proof of Revenue.~~

2. Schedule E-14 ~~12~~, entitled "Billing Analysis Schedules". Only two copies are required.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-501.302  
RULE TITLE: Copying Services for Inmates

**THIRD 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. 39, (September 26, 2003), Vol. 29, No. 44, (October 31, 2003) and in Vol. 29, No. 51, (December 19, 2003) issue of the Florida Administrative Weekly:

33-501.302 Copying Services for Inmates.

(1) through (5) No change.

(6)(a) Inmates shall not be provided copying services for legal or administrative proceedings that do not relate to a challenge of convictions or sentences, or to challenges of prison conditions unless they have sufficient funds in their inmate trust account to cover the complete cost of making the copies. Inmates shall not be provided copying services for records requests pursuant to Rule 33-601.901, F.A.C., unless they have sufficient funds in their inmate trust fund account to cover the complete cost of making the copies. Liens will not be placed to recover these costs at a future date.

(b) Where a court order has been issued directing the department to provide copies of department records to an inmate, the copies shall be provided and a lien shall be placed on the inmate's account to recover the cost of the copies as provided in subsection (5) of this rule unless otherwise ordered by the court.

(7) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-6-83, Formerly 33-3.051, Amended 6-13-88, 8-20-89, 2-12-91, 4-10-94, 4-21-96, 6-29-98, Formerly 33-3.0051, Formerly 33-602.405, Amended \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.713  
 RULE TITLE: Inmate Visiting – 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. 50, (December 12, 2003), issue of the Florida Administrative Weekly:

33-601.713 Inmate Visiting – Definitions.

(1) through (3) No change.

(4) “Institutional Classification Team (ICT)” refers to the team ~~consisting at the institutional level 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, classification supervisor, a correctional officer chief of security, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).~~

(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 NO.: 40D-4.091  
 RULE TITLE: Publications and Agreements  
 Incorporated by Reference

**NOTICE OF CHANGE**

Notice is hereby given in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the Environmental Resource Permitting Basis of Review Chapter 5, Sections 5.11 and 5.12 published in Vol. 29, No. 49, December 5, 2003, pages 4781-4792 of the Florida Administrative Weekly:

5.11 The reason for the monitoring requirement will be stated in the staff report for each permit, along with the monitoring schedule and the parameters of interest. Samples will be collected at discharge locations unless other locations are identified in the monitoring schedule. Monitoring schedules will require the periodic collection of samples, ~~once per month during the wet season~~. Permittees will also be required to collect samples during storm events, ~~in addition to monthly sampling~~ provide the rate of discharge and total discharge quantities at the time of sample collection, ~~and~~

~~total monthly discharge each month for the duration of the permit, if necessary to ensure that state water quality standards will be met.~~

5.12 ~~Monitoring required of permittees will be confined to points within the project boundaries. If additional sampling is needed to assess off-site impacts of the projects, such sampling will be conducted by the District.~~

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

**DEPARTMENT OF ELDER AFFAIRS**

**Health Facility and Agency Licensing**

RULE NO.: 59A-3.255  
 RULE TITLE: Emergency Care

**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. 36, September 5, 2003, issue of the Florida Administrative Weekly.

59A-3.255(3) Off-Site Emergency Departments.

A hospital operating an emergency department located other than on the hospital campus shall meet all of the criteria in this Rule 59A-3.255, F.A.C. section ~~and~~ Chapter 395.1041, Florida Statutes, required of that hospital’s on-site emergency department. This criteria includes, but is not limited to:

- (a) Inspection by the agency’s Office of Plans and Construction prior to occupancy;
- (b) Meeting all state and federal emergency access requirements including transfer to the nearest hospital with capability to treat the patient;
- (c) Accreditation, consistent with the hospital’s accreditation;
- (d) The provision of emergency services equal to the services provided at the hospital’s on-site emergency department, 24 hours per day, 7 days per week. Actual services may be provided at the off-site emergency department or via transport to the on-site emergency department or hospital. Transportation from the off-site emergency department to hospital’s main campus must be provided by the hospital and not rely on the local community EMS system. All services provided by on-call physicians must be available to patients that present at the off-site emergency department as well as the hospital’s on-site emergency department.
- (e) Outdoor signage must clearly identify the off-site emergency department as an emergency department of the hospital.

Specific Authority 395.1031, 395.1041, 395.1055, 401.024 FS. Law Implemented 395.1031, 395.1041, 395.1055 FS. History--New 9-4-95, Formerly 59A-3.207, Amended \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OF CHANGE IS: Bill McCort, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)487-0641

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Asbestos Consultants/Asbestos Consultant Examination**

RULE NO.:                      RULE TITLE:  
61E1-1.002                    Continuing Education Requirements for Asbestos Consultants/Contractors

**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. 41, October 10, 2003, issue of the Florida Administrative Weekly.

61E1-1.002 Continuing Education Requirements for Asbestos Consultants/Contractors.

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

(b) Maintain records demonstrating that each asbestos abatement worker and onsite supervisor has completed a 1 day refresher course in each calendar year of each biennial period ~~refresher course each calendar year for each biennial period.~~ The refresher courses must have ~~met the requirements of Section 469.012, Florida Statutes, and been~~ courses of continuing education approved and required by the Department, and the records related to such course shall be furnished upon request pursuant to Rule 61-6.010, Florida Administrative Code.

(3) No change.

Specific Authority 469.011 FS. Law Implemented 469.005(6), 455.004(6) 469.004(3), 469.012(4) FS. History--New 8-13-90, Formerly 21-25.002, Amended 11-11-97, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Asbestos Consultants/Asbestos Consultant Examination**

RULE NO.:                      RULE TITLE:  
61E1-2.001                    Written Examination Designated; General Requirements

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 41, October 10, 2003, issue of the Florida Administrative Weekly.

61E1-2.001 Written Examination ~~Designated~~; General Requirements.

~~A The Department of Professional Regulation hereby determines that a~~ written examination shall be given and passed prior to any applicant receiving a license to practice as an asbestos consultant or an asbestos contractor as provided in Chapter ~~469 455.303(1)(a), (b) and (2)~~, Florida Statutes. The examination shall be provided by the Department pursuant to Section 455.217, Florida Statutes or a computer based testing vendor contract consultant approved by the Department. The written examination shall consist of one day (approximately 8 hours). Examinations are closed book ~~and, that is,~~ the use of notes and reference books is ~~are~~ prohibited. All materials including pens and pencils are to be furnished by the applicant. The examination security requirements as set forth by the Department in Rule 61-11.014, Florida Administrative Code, shall be followed throughout the administration of the examination.

Specific Authority ~~469.011 455.307~~ FS. Law Implemented ~~469.405(6) 469.005(6), 455.217, 455.2171 455.303~~ FS. History--New 2-15-89, Formerly 21-23.001, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Asbestos Consultants/Asbestos Consultant Examination**

RULE NO.:                      RULE TITLE:  
61E1-3.001                    Fees; License Renewal; Active, Inactive, Delinquent Licenses; Change of Status

**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. 41, October 10, 2003, issue of the Florida Administrative Weekly.

61E1-3.001 Fees; License Renewal; Active, Inactive, Delinquent Licenses; Change of Status.

(1) The following fee schedule is adopted by the Department regarding the applications, initial licensure, examinations, delinquent licenses, reactivation, change of status, active and inactive licenses, renewals, late renewals, unlicensed activities, transfers, and changing a qualifying agent or financially responsible officer, for asbestos consultants and asbestos contractors, and for business organizations or qualified agents proposing to engage in consulting or contracting under a name other than the applicant's legal name, training provider and course renewal pursuant to Sections ~~455.203(1)~~, 455.271, 455.2281, 469.006, 469.008, F.S.:

(a) Application fee	\$300.00
(b) Initial License fee	\$500.00
(c) Delinquent fee	\$250.00
(d) Reactivation fee	\$100.00
(e) Biennial License Renewal fee for Asbestos Consultants, Asbestos Contractors	\$300.00
(f) Biennial License Renewal fee for Asbestos Business Organizations	\$500.00
(g) Biennial Inactive License Renewal fee for Asbestos Consultants, Asbestos Contractors	\$200.00
(h) Examination fee	\$400.00
(i) Reexamination fee	\$400.00
(j) Change of Status fee	\$100.00
(k) Unlicensed Activity fee	\$5.00
(l) To change a Financial Officer	\$100.00
(m) To add or change a Qualifying Agent	\$100.00
(n) Transfer fee	\$200.00
(o) Provider renewal fee	\$100.00
(p) Training course initial or refresher renewal fee	\$100.00

(2) All The fees shall be made payable to: The Department of Business and Professional Regulation. Any fee due to the testing vendor for computer based testing shall be made payable directly to the vendor.

(3) No change.

(4) Any license, other than a business organization or qualifying agent license, which is not renewed prior to the end of each biennium renewal period, shall automatically revert to a delinquent status.

(a) A licensee may change a delinquent status license by remitting a delinquent fee and the applicable biennial license renewal fee(s) to the department and complying with the continuing education requirements of s. 455.271(10), F.S.

(b) through (f) No change.

(5) through (6) No change.

Specific Authority ~~455.271, 469.004, 469.006, 469.008, 469.011, 455.2035~~ FS. Law Implemented ~~455.271, 469.006, 469.008, 455.2179~~ FS. History—New 9-22-94, Amended 10-17-95, 10-29-97, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Asbestos Consultants/Asbestos Consultant Examination**

RULE NOS.:	RULE TITLES:
61E1-4.001	Licensure of Business Organizations and Qualifying Agents
61E1-4.002	Financial Responsibility; Definitions; Grounds for Denial
61E1-4.003	Public Liability and Property Damage Insurance

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 41, October 10, 2003, issue of the Florida Administrative Weekly.

61E1-4.001 Licensure of Business Organizations and Qualifying Agents.

(1)(a) As a prerequisite to the initial issuance of a license to a qualifying agent, business organization, or a change in the status of an active business organization license, the applicant shall pay the required fee as provided for in Rule 61E1-3.001, F.A.C., of this Chapter, and submit a signed, completed application on a form approved by the department. The form is entitled “Initial Licensure and Change of Status Application.” ~~DBPR ALU 4052-1, Effective Date: December 12, 2003 “Application For Business Organizations or Qualifying Agents,” Form AB/LP, effective 6-20-95, and incorporated herein by reference. Individuals shall also complete the following forms: DBPR 0010-2, Master Individual Application, Effective Date: December 12, 2003 and DBPR 0030-1, Attest Statement, Revised: July 31, 2002, incorporated herein by reference. Organizations shall also complete the following forms: DBPR 0020-1, Master Organization Application, Effective: December 12, 2003; DBPR 0040, Officers and Directors Form, Revised March 5, 2003; and DBPR ALU-4053-1, Secondary Qualifier Application, Effective Date: December 12, 2003, incorporated herein by reference.~~ Copies of the application and other forms required by this Rule can be obtained by contacting the Department at the following address: Asbestos Licensing Unit, 1940 North Monroe Street, Tallahassee, Florida 32399-1006, or at [http://www.state.fl.us/dbpr/pro/forms/asbest/initial\\_licensure\\_of\\_business\\_package.pdf](http://www.state.fl.us/dbpr/pro/forms/asbest/initial_licensure_of_business_package.pdf).

If the applicant proposes to engage in asbestos consulting or asbestos contracting as a partnership, corporation, business trust or other legal entity, or in any name other than the applicant’s legal name, the legal entity must comply with s. 469.006(2), F.S. The applicant must furnish evidence of statutory compliance of Section 865.09, F.S., if a fictitious name is used.

(b) No change.

(c) In order that the department may carry out its statutory duty to investigate the financial responsibility, credit and business reputation of a new applicant for licensure or a change of status of a licensee, an applicant shall be required to forward the following, in addition to the signed, completed application for licensure, to the Department for review:

~~(1)(e)1.~~ A credit report on, not older than six months, from any recognized credit bureau which includes liens, judgments, suits and bankruptcy obtained from county, state, and federal records but is not limited to. The credit report must be dated within six (6) months of the date of filing the application.

Reports which are limited to only information obtained from the qualifying agent or past or present employers are not acceptable.

2. through 4. No change.

5. Answers to the following questions on the application:

a.(a) Has any bonding or surety company ever completed or made a financial settlement upon any construction contract or work undertaken by any person named in (i) below or any organization in which such person was a responsible person as defined in paragraph (j)? Yes ( ) No ( ).

b.(b) Are there any unpaid past-due bills or claims for labor, materials, or services, as a result of the consultant or construction operations of any person named in (i) below or any organization in which any such person was a responsible person as defined in paragraph (j)? Yes ( ) No ( ).

c.(c) Are there now any liens, suits or judgments of record or pending against any person named in (i) below or any organization in which such person was a responsible person as defined in paragraph (j), as a result of the consultant or construction operations of such persons or organization? Yes ( ) No ( ).

d.(d) Are there now any liens of record by the U.S. Internal Revenue Service or the State of Florida Corporate Tax Division against any person named in (i) below or any organization in which such a person was a responsible person as defined in paragraph (j)? Yes ( ) No ( ).

e.(e) Has any person named in (i) below or has any organization in which any such person was a responsible person as defined in paragraph (j) been adjudicated as bankrupt, within the past five years or is any such person or organization presently in the process of bankruptcy proceedings? Yes ( ) No ( ).

f.(f) Has any person named in (i) below or has any organization in which any such person was a responsible person as defined in paragraph (j) ever made an assignment of assets in settlement of consultant or construction obligations for less than the total amount of indebtedness? Yes ( ) No ( ).

g.(g) Has any person named in (i) below or has any business organization in which any such person was a member been convicted of acting in the capacity of a consultant or contractor without a license or if licensed as a consultant or contractor in this or any other state, has any disciplinary action( including probation, fine or reprimand) ever been taken against such license by a state, county, or municipality? Yes ( ) No ( ).

h.(h) Has any person in (i) below or has any business organization in which any such person was a responsible person as defined in paragraph (j) ever been convicted of any offense in this state or elsewhere, other than a traffic violation? Yes ( ) No ( ).

i.(i) Required signatures: if an individual, the qualifying consultant or contractor; if a partnership, the qualifying consultant or contractor and the partners; if a corporation, the qualifying consultant or contractor, the president, vice-president and secretary.

j.(j) For purposes of this rule, "responsible person" includes any partner, officer, trustee, qualifying consultant or contractor, or any person having managerial or supervisory role in a business organization functioning as an asbestos consultant or asbestos contractor as defined in s. 469.001, F.S. 469.006, F.S.

Specific Authority 455.203(5), 469.011 FS. Laws Implemented 469.006, 469.007 FS. History--New 10-17-95, Amended 10-29-97, \_\_\_\_\_.

61E1-4.002 Financial Responsibility; Definitions; Grounds for Denial.

(1) No change.

(2) In determining financial responsibility, the Department shall consider the following grounds: The financial responsibility grounds on which the Department may refuse to qualify an applicant can include:

(a) through (c) No change.

(d) A determination by the Department that the applicant lacks the financial stability necessary to assure compliance with the standards set forth in section (1) of this rule. As guidelines for the determination of financial stability the Department shall consider the applicant's financial statement and responses to the questions set forth in subsection 61E1-4.001(1) ~~61G4.001(1)~~, F.A.C.

(3) No change.

Specific Authority 455.203(5) 469.011 FS. Law Implemented 469.006, 469.007 FS. History--New \_\_\_\_\_.

61E1-4.003 Public Liability and Property Damage Insurance.

(1) through (5) No change.

Specific Authority ~~455.203(5)~~, 469.011, 455.2035 FS. Law Implemented 469.006, 469.007 FS. History--New \_\_\_\_\_.

Change Paragraph 2, Instructions for Completing Initial Licensure and Change of Status Application DBPR ALU 4052-1:

Applicants are cautioned to read questions thoroughly. Be certain that all questions are answered truthfully, and that all the information requested is furnished. Please type or print in ink. A false answer concerning financial or background information will subject applicant to denial or subsequent license disciplinary action. In conformance with s. 120.60(1), F.S., the Department shall examine the application and notify the applicant of any apparent errors or omissions As mandated by statute, completed applications will be processed within 30 days of receipt.

Change Application Checklist, Business Application, Fifth Item:

- Submit a credit report, from any recognized Credit Bureau, not older than 6 months, on the business organization, which includes, ~~but is not limited to~~, liens, judgments, suits, and bankruptcy obtained from county, state and federal records. The credit report must state that a search off county, state and federal records has been conducted.

Change Application Checklist, Business Application Section, Eighth and Ninth Items:

- Submit an affidavit on a form provided by the Department of Business and Professional Regulation attesting that the applicant has evidence ~~of workers' compensation insurance as required by Chapter 440, F.S., or exemption. Contact the Department of Labor & Employment Security (850)488-2333 for information.~~
- Submit an affidavit on a form provided by the Department of Business and Professional Regulation attesting that the applicant has evidence ~~of public liability insurance in the amount of at least \$100,000/\$300,000 and property damage insurance in the amount of at least \$100,000/\$300,000. All insurance certificates must list the Department of Business and Professional Regulation as the certificate holder.~~

Change Application Checklist, Individual Application (For Self-Qualification) Section, Seventh and Eighth Items:

- Submit an affidavit on a form provided by the Department of Business and Professional Regulation attesting that the applicant has evidence ~~of workers' compensation insurance as required by Chapter 440, F.S., or exemption. Contact the Department of Labor & Employment Security (850)488-2333 for information.~~
- Submit an affidavit on a form provided by the Department of Business and Professional Regulation attesting that the applicant has evidence ~~of public liability insurance in the amount of at least \$100,000/\$300,000 and property damage insurance in the amount of at least \$100,000/\$300,000. All insurance certificates must list the Department of Business and Professional Regulation as the certificate holder.~~

Change Application Checklist, Transfer (Name Change) Section, Fifth Item:

- Submit a credit report, from any recognized Credit Bureau, not older than 6 months, on the business organization, which includes, ~~but is not limited to~~, liens, judgments, suits, and bankruptcy obtained from county, state and federal records. The credit report must state that a search off county, state and federal records has been conducted.

Change Application Checklist, Transfer (Name Change) Section, Eighth and Ninth Items:

- Submit an affidavit on a form provided by the Department

of Business and Professional Regulation attesting that the applicant has evidence ~~of workers' compensation insurance as required by Chapter 440, F.S., or exemption. Contact the Department of Labor & Employment Security (850)488-2333 for information.~~

- Submit an affidavit on a form provided by the Department of Business and Professional Regulation attesting that the applicant has evidence ~~of public liability insurance in the amount of at least \$100,000/\$300,000 and property damage insurance in the amount of at least \$100,000/\$300,000. All insurance certificates must list the Department of Business and Professional Regulation as the certificate holder.~~

**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**

**Office of Insurance Regulation**

RULE NOS.:	RULE TITLES:
690-149.203	Group Conversion Premium
690-149.204	Outline of Coverage
690-149.205	Indemnity Standard Risk Rate
690-149.206	Preferred Provider/Exclusive Provider Standard Risk Rates
690-149.207	Health Maintenance Organization Standard Risk Rates

**NOTICE OF CHANGE**

Notice is hereby given that rules 4-149.203, 4-149.204, 4-149.205, 4-149.206, and 4-149.207, published in Vol. 29, No. 52, December 26, 2003, of the Florida Administrative Weekly, will be adopted as rules 690-149.203, 690-149.204, 690-149.205, 690-149.206, and 690-149.207.

The remainder of the rules read as previously published.

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE NOS.:	RULE TITLES:
690-154.201	Scope
690-154.202	Definitions
690-154.203	Categories of Reserves
690-154.204	Specific Minimum Standards for Morbidity, Mortality and Interest Tables
690-154.210	

NOTICE OF CHANGE

Notice is hereby given that Rules 4-154.201, 4-154.202, 4-154.203, 4-154.204, and 4-154.210, published in Vol. 29, No. 37, September 12, 2003, of the Florida Administrative Weekly, will be adopted as Rules 69O-154.201, 69O-154.202, 69O-154.203, 69O-154.204 and 69O-154.210.

The remainder of the rules read as previously published.

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE NO.:	RULE TITLE:
69O-166.045	Special Purpose Homeowners Insurance Company (PHIC) Notice Requirements

NOTICE OF CHANGE

Notice is hereby given that Rule 4-166.045, F.A.C., published in Vol. 30, No. 1, January 2, 2004, of the Florida Administrative Weekly, will be repealed as Rule 69O-166.045, F.A.C.

The remainder of the rule reads as previously published.

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE NO.:	RULE TITLE:
69O-176.013	Notification of Insured's Rights and Standard Disclosure Form; Personal Injury Protection Benefits

NOTICE OF CHANGE

Notice is hereby given that Rule 4-176.013, F.A.C., published in Vol. 29, No. 36, September 5, 2003, of the Florida Administrative Weekly, will be adopted as Rule 69O-176.013.

The remainder of the rule reads as previously published.

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE NO.:	RULE TITLE:
69O-200.007	Cancellation Refunds

NOTICE OF CHANGE

Notice is hereby given that Rule 4-200.007, F.A.C., published in Vol. 29, No. 44, October 31, 2003, of the Florida Administrative Weekly, will be repealed as Rule 69O-200.007, F.A.C.

The remainder of the rule reads as previously published.

Section IV  
Emergency Rules

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF THE LOTTERY**

RULE TITLE:	RULE NO.:
Instant Game Number 517, "WILD 7'S BINGO"	53ER03-68

SUMMARY OF THE RULE: This emergency rule relates to the Instant Game Number 517, "WILD 7'S BINGO" 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; and the estimated odds of winning, value, and number and size 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:

53ER03-68 Instant Game Number 517, "WILD 7'S BINGO".

(1) Name of Game. Instant Game Number 517, "WILD 7'S BINGO".

(2) Price. WILD 7'S BINGO lottery tickets sell for \$2.00 per ticket.

(3) WILD 7'S BINGO 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 WILD 7'S BINGO 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 WILD 7'S BINGO lottery ticket, or as to the prize amount, the Void if Removed Number under the latex shall prevail over the bar code.



(4) The "CALLER'S CARD" play symbols are as follows:

	<sup>B</sup>	<sup>B</sup>	<sup>B</sup>			
	01	02	03			
<sup>B</sup>	<sup>B</sup>	<sup>B</sup>	<sup>B</sup>	<sup>B</sup>	<sup>B</sup>	
04	05	06	07	08	09	
<sup>B</sup>	<sup>B</sup>	<sup>B</sup>	<sup>B</sup>	<sup>B</sup>	<sup>B</sup>	
10	11	12	13	14	15	
<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	
16	17	18	19	20	21	
<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	
22	23	24	25	26	27	
<sup>I</sup>	<sup>I</sup>	<sup>I</sup>	<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	
28	29	30	31	32	33	
<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	
34	35	36	37	38	39	
<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	<sup>N</sup>	
40	41	42	43	44	45	
<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	
46	47	48	49	50	51	
<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	
52	53	54	55	56	57	
<sup>G</sup>	<sup>G</sup>	<sup>G</sup>	<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	
58	59	60	61	62	63	
<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	
64	65	66	67	68	69	
<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	<sup>O</sup>	
70	71	72	73	74	75	

(5) The player's cards play symbols are as follows:

	01	02	03	04		
05	06	07	08	09	10	
11	12	13	14	15	16	
17	18	19	20	21	22	
23	24	25	26	27	28	
29	30	31	32	33	34	
35	36	37	38	39	40	
41	42	43	44	45	46	
47	48	49	50	51	52	
53	54	55	56	57	58	
59	60	61	62	63	64	
65	66	67	68	69	70	
71	72	73	74	75	FREE	

(6) Determination of Prizewinners.

(a) There are four player's cards numbered 1 through 4 and one Caller's Card on each WILD 7'S BINGO ticket. A "FREE" space will appear in the center of each player's card. A "FREE" space can substitute as a number in a pattern of which it is a part.

(b) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in one of the following patterns shall entitle the claimant to the prize shown for that pattern on that card:

1. Horizontal line of five numbers (or four numbers and one "FREE" space).

2. Vertical line of five numbers (or four numbers and one "FREE" space).

3. Diagonal line of four numbers and one "FREE" space.

4. Four corners (consisting of four numbers).

5. "X" (consisting of eight numbers and one "FREE" space).

Prizes that appear in the player's cards area are: FREE TICKET, \$3, \$10, \$25, \$50, \$100, \$150, \$200, \$250, \$500, and \$10,000. Prize amounts for a particular pattern are different on each player's card.

(c) A ticket whose numbers on one of the player's cards match the Caller's Card numbers in a "7" pattern (consisting of six numbers and one "FREE" space in the highlighted "7" pattern) shall entitle the claimant to the prize shown for that card as follows:

1. Card 1 - \$7
2. Card 2 - \$77
3. Card 3 - \$777
4. Card 4 - \$7,777

(7) Players may win on one or more player's cards per ticket; however, players may not win more than one prize on each player's card.

(8) A claimant who is entitled to a prize of a "FREE TICKET" shall be entitled to a prize of a ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a WILD 7'S BINGO lottery ticket which 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.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 517 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 63 POOLS OF 120,000 TICKETS PER POOL
LINE - CARD 1	Free Ticket	11.54	655,200
LINE - CARD 2	\$3	12.50	604,800
LINE - CARDS 1 & 2	\$3 + Free Ticket	75.00	100,800
"7" - CARD 1	\$7	18.75	403,200
"7" - CARD 1 + LINE - CARD 2	\$10	75.00	100,800
LINE - CARD 3	\$10	150.00	50,400
"7" - CARD 1 + LINE - CARD 3	\$17	150.00	50,400
4 CORNERS - CARD 1	\$25	150.00	50,400
"7" - CARD 1 + LINE - CARDS 2 & 4	\$35	1,463.41	5,166
LINE - CARD 1, 2, 3 & 4	\$38 + Free Ticket	4,800.00	1,575
4 CORNERS - CARD 2	\$50	4,800.00	1,575
"7" - CARD 2	\$77	6,000.00	1,260
"X" - CARD 1	\$150	37,800.00	200
4 CORNERS - CARDS 1 & 3 + LINE - CARD 4	\$150	151,200.00	50
"X" - CARD 1 + 4 CORNERS - CARD 2	\$200	189,000.00	40
4 CORNERS - CARDS 1, 2 & 3 + LINE - CARD 4	\$200	151,200.00	50
4 CORNERS - CARD 4	\$200	189,000.00	40
"X" - CARD 2	\$250	189,000.00	40
"X" - CARD 3	\$500	504,000.00	15
"7" - CARD 3	\$777	504,000.00	15
"7" - CARD 4	\$7,777	1,890,000.00	4
"X" - CARD 4	\$10,000	2,520,000.00	3

(10) The estimated overall odds of winning some prize in Instant Game Number 517 are 1 in 3.73. 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 517, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a WILD 7'S BINGO lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for WILD 7'S BINGO 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 12-31-03.

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

EFFECTIVE DATE: December 31, 2003

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 498, LUCK OF THE DICE

RULE NO.: 53ER03-69

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 498, "LUCK OF THE DICE," 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:

53ER03-69 Instant Game Number 498, LUCK OF THE DICE.

(1) Name of Game. Instant Game Number 498, "LUCK OF THE DICE."

(2) Price. LUCK OF THE DICE lottery tickets sell for \$1.00 per ticket.

(3) LUCK OF THE DICE 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 LUCK OF THE DICE 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 LUCK OF THE DICE 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:

<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>\$\$</b> WIN ALL
<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN	<b>11</b> ELEVEN	<b>12</b> TWELVE		

(5) The prize symbols and prize symbol captions are as follows:

<b>TICKET</b>	<b>\$1.00</b>	<b>\$2.00</b>	<b>\$3.00</b>	<b>\$5.00</b>	<b>\$10.00</b>
TICKET	ONE	TWO	THREE	FIVE	TEN
<b>\$15.00</b>	<b>\$20.00</b>	<b>\$25.00</b>	<b>\$50.00</b>	<b>\$100</b>	<b>\$4,000</b>
FIFTEEN	TWENTY	THY FIVE	FIFTY	ONE HUN	FOR THO

(6) The legends are as follows:

ROLL 1 ROLL 2 ROLL 3 ROLL 4

(7) Determination of Prizewinners. There are four rolls on each LUCK OF THE DICE lottery ticket.

(a) A ticket having a 7 or 11 in the play area of any roll shall entitle the claimant to the corresponding prize shown. The prizes are: TICKET, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$100, and \$4,000. 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 LUCK OF THE DICE 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.

**\$\$**

(b) A ticket having a "\$\$ WIN ALL" symbol in the play area of any roll shall entitle the claimant to all four prizes shown.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 498 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 39 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$1 TICKET	10.00	702,000
\$1	\$1	15.00	468,000
\$2	\$2	25.00	280,800
\$1 x 4 - (\$\$) SYMBOL	\$4	100.00	70,200
(\$1 x 3) + \$2 - (\$\$) SYMBOL	\$5	100.00	70,200
\$5	\$5	100.00	70,200
(\$2 x 2) + (\$3 x 2) - (\$\$) SYMBOL	\$10	200.00	35,100
\$10	\$10	300.00	23,400
(\$5 x 3) + \$10 - (\$\$) SYMBOL	\$25	450.00	15,600
\$2 + \$3 + (\$10 x 2) - (\$\$) SYMBOL	\$25	486.49	14,430
\$25	\$25	1,200.00	5,850
\$5 + (\$10 x 2) + \$25 - (\$\$) SYMBOL	\$50	9,000.00	780
(\$10 x 3) + \$20 - (\$\$) SYMBOL	\$50	9,000.00	780
\$50	\$50	18,000.00	390
\$25 x 4 - (\$\$) SYMBOL	\$100	70,200.00	100
\$10 + \$15 + \$25 + \$50 - (\$\$) SYMBOL	\$100	70,200.00	100
\$100	\$100	117,000.00	60
\$100 x 4 - (\$\$) SYMBOL	\$400	351,000.00	20
\$4,000	\$4,000	702,000.00	10

(9) The estimated overall odds of winning some prize in Instant Game Number 498 are 1 in 3.99. 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 498, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a LUCK OF THE DICE lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(12) Payment of prizes for LUCK OF THE DICE 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 12-31-03.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.  
EFFECTIVE DATE: December 31, 2003

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 519, \$20,000 PAYDAY  
RULE NO.: 53ER03-70  
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 519, "\$20,000 PAYDAY," 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:

53ER03-70 Instant Game Number 519, "\$20,000 PAYDAY."


(1) Name of Game. Instant Game Number 519, "\$20,000 PAYDAY."

(2) Price. \$20,000 PAYDAY lottery tickets sell for \$2.00 per ticket.

(3) \$20,000 PAYDAY 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 \$20,000 PAYDAY 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 \$20,000 PAYDAY 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> TWELV	<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



(5) The "PAYDAY 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> TWELV	<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

(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>
TICKET	ONE	TWO	FIVE	TEN	TWENTY
<b>\$25.00</b>	<b>\$50.00</b>	<b>\$100</b>	<b>\$1,000</b>	<b>\$2,000</b>	<b>\$20,000</b>
THY FIVE	FIFTY	ONE HUN	ONE THO	THO THO	THY THO

(7) The legends are as follows:

YOUR NUMBERS      PAYDAY NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "PAYDAY NUMBERS" play area shall entitle the claimant to the prize shown for that number. A ticket may have up to ten sets of matching numbers. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$1,000, \$2,000 and \$20,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a \$20,000 PAYDAY lottery ticket which 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.



(c) A ticket having a "WIN ALL" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes shown.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 519 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$2 TICKET	10.00	756,000
\$2	\$2	30.00	252,000
\$2 x 2	\$4	21.43	352,800
\$1 + (\$2 x 2)	\$5	37.50	201,600
\$5	\$5	37.50	201,600
\$1 + (\$2 x 2) + \$5	\$10	75.00	100,800
(\$1 x 8) + \$2	\$10	75.00	100,800
\$10 (DOLLAR BILL)	\$10	150.00	50,400
\$5 x 5	\$25	150.00	50,400
(\$5 x 2) + (\$10 x 4)	\$50	1,200.00	6,300
\$10 x 5	\$50	1,200.00	6,300
\$50 (DOLLAR BILL)	\$50	600.00	12,600
\$10 x 10 (PAYDAY)	\$100	60,000.00	126
\$25 x 4	\$100	45,000.00	168
\$100 (DOLLAR BILL)	\$100	60,000.00	126
\$20 x 10 (PAYDAY)	\$200	236,250.00	32
\$100 x 10 (PAYDAY)	\$1,000	540,000.00	14
\$1000 (DOLLAR BILL)	\$1,000	1,260,000.00	6
\$2,000 x 10 (PAYDAY)	\$20,000	3,780,000.00	2
\$20,000	\$20,000	3,780,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 519 are 1 in 3.61. 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 519, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a \$20,000 PAYDAY lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for \$20,000 PAYDAY 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 12-31-03.

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

EFFECTIVE DATE: December 31, 2003

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**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."

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on January 7, 2004, the South Florida Water Management District (SFWMD) received an amended petition for waiver from Four Winds Hounds, (FWH) for the use of SFWMD lands known as the Hickory Hammock Wildlife Management Area and the Starvation

Slough a sub unit of the Kissimmee River Management Area. This is a petition for a temporary waiver on Saturdays from January through April 2004 during the hours of 7 am until 12 pm. FWH would like to engage in an equestrian laid scent chasing activity in these areas. This waiver would allow FWH to use horses off of designated trails and the use of dogs, other than the breeds specified during small game season at Starvation Slough and Hickory Hammock, if surface water conditions allow. The petition seeks relief from Rules 40E-7.520(5), 40E-7.526(2), 40E-7.527(1), Fla. Admin. Code, "Public Use Guide", which prohibits equestrian activities off of designated equestrian trails and named or numbered roads, and prohibits dogs, other than those breeds specified during the small game season, as applied to the Hickory Hammock Wildlife Management Area and the Starvation Slough a sub unit of the Kissimmee River Management Area.

A copy of the petition may be obtained from: Charron A. Follins, (561)682-6293, e-mail: cfollins@sfwmd.gov.

The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, Attn: Charron Follins, Office of Counsel.

---

#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Bureau of Elevator Safety hereby gives notice that it has issued an Order on the Petition for Variance filed Patricia Serley of Otis Elevator Company on behalf of Harbor Lights Condominium (case VW 2003-096). The Bureau's Order, filed on December 29, 2003, granted the petition for variance from Rules 100.1a(2), 100.1a(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 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 Amended Order on the Petition for Variance filed Patricia Serley of Otis Elevator Company on behalf of Harbor Village @ Historic St. Andrews Condominium (case VW 2003-100). The Bureau's Order, filed on January 5, 2004 amended the Order filed December 19, 2003, granting the petition for variance from Rules 100.1a(2), 100.1a(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 the new technology provides the same or greater safety. The Order was amended to correct typographical errors in the rules cited.

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 Michael Loeffler of Otis Elevator Company on behalf of The Whitney Condominium (case VW 2003-098). The Bureau's Order, filed on December 29, 2003, granted the petition for variance from Rules 100.1a(2), 100.1a(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 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 Michael Loeffler of Otis Elevator Company on behalf of The Metropolitan Condominium (case VW 2003-097). The Bureau's Order, filed on December 29, 2003, granted the petition for variance from Rules 100.1a(2), 100.1a(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 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.

---

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

---

#### **DEPARTMENT OF HEALTH**

The Board of Dentistry hereby gives notice that it has issued an Order on the Petition for Waiver or Variance filed by Andres Bello, D.D.S., Bertha Bravo, D.D.S., Sonia Rocha, D.D.S., and Ivan Terrero, D.D.S. The Notice of Petition for Waiver or Variance was published in Vol. 29, No. 36, of the September 5, 2003, Florida Administrative Weekly. The Board of Dentistry considered the Petition at its meeting held on November 7, 2003. The Board's Order, filed on January 2, 2004, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by subparagraphs 64B5-2.0146(2)(c)1.

and 3., F.A.C., has been met and that Petitioners have demonstrated that strict application of the rule would lead to an unreasonable and unfair result in this case.

A copy of the Board's Order may be obtained by contacting the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3758.

---

The Board of Dentistry hereby gives notice that it has issued an Order on the Petition for Waiver or Variance filed by Mario Iraheta. The Notice of Petition for Waiver or Variance was published in Volume 29, No. 42, of the October 17, 2003, Florida Administrative Weekly. The Board of Dentistry considered the Petition at its meeting held on November 7, 2003. The Board's Order, filed on January 2, 2004, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by subsection 64B5-2.0146(2), F.A.C., has been met and that the Petitioner demonstrated that because he was enrolled in post-graduate training programs, the equivalency requirement had to be determined prior to his admission to those programs.

A copy of the Board's Order may be obtained by contacting the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3758.

---

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Nagur Mohan, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 43, of the October 24, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on November 22, 2003. The Board considered the Committee's recommendation at its meeting held on December 6-7, 2003, in Tampa, Florida. The Board's Order, filed on December 18, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by subsection 64B8-2.001(2), F.A.C., has been met.

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

---

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed on behalf of Ifeyinwa J. Okonkwo, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 44, of the October 31, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on November 22, 2003. The Board considered the Committee's recommendation at its meeting held on December 6-7, 2003, in Tampa, Florida. The Board's Order, filed on December 23, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-5.001, F.A.C., has been met.

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 Natan Zundel, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 44, of the October 31, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on November 22, 2003. The Board considered the Committee's recommendation at its meeting held on December 6-7, 2003, in Tampa, Florida. The Board's Order, filed on December 22, 2003, denies the petition for waiver finding that the petition was not unsubstantial compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code, because the Petitioner requested a waiver of a statutory requirement. The Board does not have the authority to waive a Florida Statute.

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 Petitions for Waiver filed by Nil R. Barua, M.D. The Notices of Petition for Waiver were published in Vol. 29, No. 44, of the October 31, 2003, Florida Administrative Weekly, and Vol. 29, No. 46, of the November 14, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petitions at its meeting held on November 22, 2003. The Board considered the Committee's recommendation at its meeting held on December 6-7, 2003, in Tampa, Florida. The Board's Order, filed on December 22, 2003, grants the petitions for waiver finding that the underlying purpose of the statute, as implemented by subsections 64B8-2.001(2) and 64B8-4.009(5), F.A.C., has been met.

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 Mohamed Shahout, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 44, of the October 31, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on November 22, 2003. The Board considered the Committee's recommendation at its meeting held on December 6-7, 2003, in Tampa, Florida. The Board's Order, filed on December 22, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by subsection 64B8-5.001(2), F.A.C., has been met.

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 Neil H. Okum, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 41, of the October 10, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on November 22, 2003. The Board considered the Committee's recommendation at its meeting held on December 6-7, 2003, in Tampa, Florida. The Board's Order, filed on December 23, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by subsection 64B8-2.001(2), F.A.C., has been met.

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 Suresh D. Ghate, M.D. The Notice of Petition for Waiver was published in Vol. 29, No. 43, of the October 24, 2003, Florida Administrative Weekly. The Credentials Committee considered the Petition at its meeting held on November 22, 2003. The Board considered the Committee's recommendation at its meeting held on December 6-7, 2003, in Tampa, Florida. The Board's Order, filed on December 23, 2003, grants the petition for waiver finding that the underlying purpose of the statute, as implemented by Rule 64B8-2.001, F.A.C., has been met.

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 Psychology hereby gives notice that it has received a petition, filed on December 24, 2003 on behalf of John Rissi, Ph.D., seeking a waiver of paragraph 64B19-11.001(4)(c), Florida Administrative Code, with respect to the time limit for taking the examination for licensure.

Comments on this petition should be filed with the Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373, Ext. 3480.

## DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that on December 9, 2003, the Department of Financial Services received a petition for emergency waiver from Pratt Aviation, for a waiver of the provisions of Section 69-60.004, Florida Administrative Code, adopting NFPA 101 as part of the Florida Fire Prevention Code. The petition seeks relief from the provisions of subdivision 42.6.2, NFPA 101, adopted in Rule 69A-62.004, Florida Administrative Code, in that petitioner seeks to have only one point of egress from an aircraft hangar, as required by Florida Building Code section 1027.1.1, rather than the two points of egress required by subdivision 42.6.2 of NFPA 101. It is the intent of the Department of Financial Services to modify subdivision 42.6.2 of NFPA 101 during the triennial review of the Florida Fire Prevention Code occurring at this time; therefore, the Department of Financial Services has granted the petition for emergency waiver, with certain conditions which provide an equivalent degree of firesafety as NFPA 101 now requires. If any comments are received in opposition to having granted the waiver, the Department of Financial Services will consider such comments in its determination of whether to continue the waiver for the petitioner.

A copy of the petition may be obtained from: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235, E-mail: mazzeog@dfs.state.fl.us.

The Division will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day by the person named above at the above address or fax number.

## Section VI Notices of Meetings, Workshops and Public Hearings

### DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces an International Cultural Exchange Grant Panel meeting, to which all persons are invited. This meeting is subject to cancellation, please call to confirm the meeting date and time.

DATE AND TIME: February 24, 2003, 9:00 a.m. – conclusion  
PLACE: R. A. Gray Building Auditorium, 500 South Bronough, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
International Cultural Exchange Grant Panel Meeting.

For more information, please contact: Bert Furbee, Grants Specialist, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301, (850)245-6470.

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 a verbatim recording of the proceedings in order to provide a record for judicial review. To request special aids or services, contact the Division staff 72 hours prior to the above stated schedule at (850)245-6470 or TT 711.

The **Department of State, Division of Cultural Affairs** announces Florida Arts Council, Vision Steering Committee, Services to Individual Artists Subcommittee meeting, to which all persons are invited. This meeting is subject to cancellation, please call to confirm the meeting date, time, and location.

DATE AND TIME: January 29, 2004, 1:00 p.m.– 5:00 p.m.

PLACE: Tampa, specific location to be announced

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Arts Council, Vision Steering Committee, Services to Individual Artists Subcommittee meeting.

For more information, please contact: Todd Warlik, Special Projects Manager, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301, (850)245-6470.

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 a verbatim recording of the proceedings in order to provide a record for judicial review.

To request special aids or services, contact the Division staff 72 hours prior to the above stated schedule at (850)245-6470 or TT 711.

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

DATE AND TIME: Friday, January 30, 2004, 10:00 a.m. – conclusion

PLACE: Tampa Museum of Art, 600 North Ashley Drive, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Arts Council's Vision Steering Committee.

A copy of the agenda may be accessed on the Division of Cultural Affairs' website at [www.Florida-Arts.org](http://www.Florida-Arts.org) or by contacting: Dianne Alborn, Executive Assistant, 500 South Bronough Street, Suite 124, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6473, email: [dalborn@dosa.state.fl.us](mailto:dalbora@dosa.state.fl.us).

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

office by the 27th day of January 2004, if you need an accommodation. Please contact Dana DeMartino, ADA Coordinator, at the Division of Cultural Affairs, (850)245-6477, Fax (850)245-6492, email: [ddemartino@dosa.state.fl.us](mailto:ddemartino@dosa.state.fl.us).

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Honeybee Technical Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, January 28, 2004, 10:00 a.m.

PLACE: Doyle Conner Building, Auditorium, 1911 Southwest 34th Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda items:

- (1) Miticide Resistant Varroa Mite – Section 18 Status of Checkmite and Api Life Var New Research Proposed Involving
- (2) Antibiotic Resistant American Foulbrood Disease
- (3) African Honey Bee Update Environmental Survey for Non-European Bees – Status
- (4) Establishment of Division of Plant Industry Research for Apiary
- (5) Research Funding by Florida State Beekeepers Association
- (6) Fee Increase – Hand out proposed Fee Schedule
- (7) United States Department of Agriculture Tour at the University of Florida

(Please let us know your names in advance for security purposes if you will be touring the UF facility.)

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by January 23, 2004.

A copy of the agenda may be obtained by writing: Mr. Jerry Hayes, Post Office Box 147100, Gainesville, Florida 32614-7100, (352)372-3505.

The **Department of Agriculture and Consumer Services** announces a public meeting of the Florida Amusement Device and Attraction Advisory Committee to which all persons are invited.

DATE AND TIME: Wednesday, February 4, 2004, 10:00 a.m.

PLACE: Equestrian Pavillion, Florida State Fair Grounds, 4800 N. US Hwy 301, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting of the Florida Amusement Device And Attraction Advisory Committee.

A copy of the agenda may be obtained by writing: Michael Rinehart, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650 or by calling Michael Rinehart, (850)922-2330 or (850)488-9790.



Pursuant to 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 Michael Rinehart, (850)922-2330 or (850)488-9790. If you are hearing or speech impaired please contact the agency by calling the State of Florida TDD line, 1(800)955-8771.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Off Highway Recreation Advisory Committee which is open to all interested persons.

DATE AND TIME: Tuesday, January 27, 2004, 9:00 a.m.

PLACE: Collier County Extension Office (IFAS), 14700 Immokalee Road, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Off Highway Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: John Waldron, 3125 Conner Boulevard/C25, Tallahassee, FL 32399-1650, (850)414-9852.

#### DEPARTMENT OF EDUCATION

The public is invited to a meeting of the **Department of Education**, Advisory Council on Educational Facilities.

DATE AND TIME: Tuesday, January 27, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Gus A. Stavros Institute, Doyle Room, 12100 Starkey Rd., Largo, FL 33773

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the fifth convening of the Council charged with making recommendations relating to educational facilities in the K-20 education system in Florida. Sub-committees will meet to review and evaluate facilities planning and budgeting processes; needs for existing and proposed facilities; forming alliances with non-public educational institutions and/or community organizations; alternatives to minimize construction of additional facilities; available sources to meet funding requirements; methods of distribution of funds; and alternatives to minimize funding needs.

A copy of the agenda may be obtained from the Advisory Council on Educational Facilities website at <http://www.myfloridaeducation.com/council>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The Florida **Department of Education**, Office of Independent Education and Parental Choice, announces a public hearing of the Charter School Appeal Commission to which all persons are invited.

DATES AND TIME: January 27-29, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Department of Education, 325 West Gaines Street, 17th Floor, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Charter School Appeal Commission Hearings for the denial of 2004-2005 charter school applications.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, FL 32399, (850)245-0502.

The **University of Florida** and the Miami Center for Patient Safety announces a Culture of Safety Conference to which patient safety, human factors and organizational experts have been invited.

DATE AND TIME: Saturday, January 24, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Adam's Mark Jacksonville, 225 Coast Line Drive, East, Jacksonville, FL 32202, 1(800)444-ADAM

GENERAL SUBJECT MATTER TO BE CONSIDERED: International experts in human factors, organizational and social sciences, and patient safety will gather to exchange ideas based on past experience in order to enhance safety culture in Health Care Organizations in Florida.

A copy of the agenda may be obtained by calling Vincent Samuels, (904)244-4124 or via e-mail: [vsamuels@ufl.edu](mailto:vsamuels@ufl.edu).

Written comments can be submitted to Robert Wears, MD at [wears@ufl.edu](mailto:wears@ufl.edu).

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: (904)244-4124.

The **Commission for Independent Education** announces committee meetings and a commission meeting to which all persons are invited.

DATES AND TIME: January 21, 2004, 9:00 a.m. – Rules Committee Meeting; Enrollment Agreement/Bilingual Committee, Continuing Education Committee, Accreditation Review Committee and Health Science Curriculum Committee to follow; January 22-23, 2004, Commission Meeting

PLACE: Renaissance Orlando Hotel – Airport, 5445 Forbes Place, Orlando, Florida 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Rules Committee, Enrollment Agreement/Bilingual Committee, Continuing Education Committee, Accreditation Review Committee and Health Science Curriculum Committee meetings on January 21, 2004 and the Commission for Independent Education meeting will consider disciplinary matters, new applications for licensure, and institutional applications for program modifications and additional programs on January 22, 2004. All other licensure applications and other general commission business will be considered on January 23, 2004.

A copy of the agenda may be obtained by writing: Commission Office, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Rehabilitation Council** announces the attendance of members for the following training:

MEETING: VR Counselor Training program

DATE AND TIME: January 12, 2004, 2:00 p.m.

PLACE: VR Headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: To participate in a training of VR Counselors.

Any interested parties that need further information may contact: Yolanda Manning, (850)245-3320.

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

Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to

ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

The **Florida Rehabilitation Council for the Blind** announces the following Public Forum to which all interested individuals are invited to attend.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For consumer input on the effectiveness of services provided by the Florida Division of Blind Services in assisting individuals with visual impairments achieving employment and independence under title I of the Rehab Act.

DATE AND TIME: Thursday, January 29, 2004, 4:00 p.m. – 6:00 p.m.

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, FL 32301

CONTACT: Phyllis Dill, The Division of Blind Services, 7201 North 9th Avenue, Suite A-11, Pensacola, FL 32504, (850)484-5030, Florida Telephone Relay System 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

The **Rehabilitation Council for the Blind** and The Florida **Division of Blind Services** announces the following meeting:

DATES AND TIMES: January 30, 2004, 8:30 a.m. - 5:00 p.m.; January 31, 2004, 8:30 a.m. - 12:00 Noon

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the council.

A copy of the agenda may be obtained by contacting: Phyllis Dill at The Division of Blind Services, 7201 N. 9th Avenue, Suite A-11, Pensacola, FL 32504, (850)484-5030, Florida Telephone Relay System 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

**DEPARTMENT OF TRANSPORTATION**

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

DATE AND TIME: January 29, 2004, 8:30 a.m. – 12:00 Noon

PLACE: Clearwater Courthouse, 315 Court Street, Fifth Floor, Clearwater, Florida

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

Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting are asked to advise the Commission at least 48 hours before the meeting by contacting: Cathy Goodman, (850)414-4105.

---

### DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The **Department of Highway Safety and Motor Vehicles** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, February 19, 2004, 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.

---

### 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."

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a public hearing to which all interested persons are invited to attend.

DATE AND TIME: January 27, 2004, 7:00 p.m.

PLACE: Marco Island Association of Realtors, 140 Waterway Drive, Marco Island, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of considering evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as Marco Island, Hideaway Beach. The location of the proposed Erosion Control Line is as follows:

The proposed Erosion Control Line lies along Big Marco Pass fronting the Gulf of Mexico at the line of mean high water.

The Erosion Control Line lies in Section 06, Township 52 South, Range 26 East.

Written objections to, or inquires regarding, the proposed Erosion Control Line should be submitted to the Bureau of Beaches and Wetland Resources, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES  
OF THE INTERNAL IMPROVEMENT TRUST  
FUND OF THE STATE OF FLORIDA  
JEB BUSH, GOVERNOR

---

### 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, January 21, 2004, 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.

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 030438-EI – Petition for rate increase by Florida Public Utilities Company.

DATE AND TIME: February 2, 2004, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: February 3, 2004, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing:

Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based. Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770 at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: February 3, 2004, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**\*\*THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.\*\***

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 011354-TP – Petition by Global NAPS, Inc. for arbitration pursuant to 47 U.S.C. 252(b) of interconnection rates, terms and conditions with ALLTEL Florida, Inc.

DATE AND TIME: February 4, 2004, 9:30 a.m.  
 PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition by Global NAPS, Inc. for arbitration pursuant to 47 U.S.C. 252(b) of interconnection rates, terms and conditions with ALLTEL Florida, Inc., and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on January 6, 2003. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### REGIONAL PLANNING COUNCILS

The District 5, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

COMMITTEE NAME: Training Subcommittee

DATE AND TIME: Wednesday, January 21, 2004, 9:00 a.m. – 10:15 a.m.

COMMITTEE NAME: Local Emergency Planning Committee

DATE AND TIME: Wednesday, January 21, 2004, 10:30 a.m.

PLACE: Marion County Fire Rescue, 3230 S. E. Maricamp Road, Ocala, FL 34471

GENERAL SUBJECT MATTER TO BE DISCUSSED: Chairman report, Committee updates, and other organizational matters regarding the committees.

If a person decides to appeal any decision made by the Committee with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you have any questions regarding the meeting you may contact: Charlotte Neupauer, (352)732-1315.

The **Charlotte Harbor National Estuary Program** announces a public meeting to which all persons are invited:

DATE AND TIME: January 28, 2004, 9:00 a.m.

PLACE: North Fort Myers, Lee County Electric Co-operative, 4980 Bayline Drive, 4th, North Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Legislative Subcommittee of the Charlotte Harbor NEP Policy Committee.

A copy of the proposed agenda may be obtained by writing: Ms. Liz Donley, Charlotte Harbor NEP, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33918-3455, e-mail: ldonley@swftrpc.org.

Any person requiring special accommodation due to disability or physical impairment should contact Ms. Liz Donley, (239)995-1777, Ext. 234, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Ms. Donley using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 2, 2004, 10:30 a.m.

PLACE: Kovens Conference Center, Florida International University, Biscayne Bay Campus, Bayview Ballroom South 214A, 3000 N. E. 151 Street, Miami, FL 33181

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendment for Fort Lauderdale; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Lighthouse Point; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

DATE AND TIME: Thursday, January 29, 2004, 10:30 a.m. Eastern Time, 9:30 a.m. Central Time

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue East, Suite 1, Blountstown, FL 32424, (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571, prior to the meeting.

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. For such purpose, he/she will 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.

**DEPARTMENT OF CORRECTIONS**

Under authority of the Florida **Criminal Justice Standards and Training Commission**, the Florida **Department of Corrections**, Region XVI, Criminal Justice Standards and Training Trust Fund Training Council announces a public meeting to which all interested persons are invited:

DATE AND TIME: January 22, 2004, 2:00 p.m.

PLACE: Florida Department of Corrections, Headquarters Building, 2601 Blair Stone Road, 3rd Floor, Building B, Room B355, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Region XVI Training Council of the Florida Criminal Justice Standards and Training Commission. The primary business of the meeting will be to discuss training and budget issues.

A copy of the agenda for the above meeting may be obtained by writing: Gwendolen Colston, Florida Department of Corrections, Office of Staff Development, 2601 Blair Stone Road, , Room A331, Tallahassee, Florida 32399-2500.

**WATER MANAGEMENT DISTRICTS**

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

TAMPA BAY WATER/SWFWMD GOVERNING BOARDS JOINT WORKSHOP

DATE AND TIME: Monday, January 26, 2004, 1:30 p.m. (Board members may gather for lunch prior to the meeting at one of the three restaurants located within the Marriott Tampa Westshore complex.)

PLACE: Marriott Tampa Westshore, 1001 N. Westshore Boulevard, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss potential future water supply partnerships.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING

DATE AND TIME: Tuesday, January 27, 2004, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Committee meetings, Board meeting and public hearing

GOVERNING BOARD 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, January 28, 2004, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing.

LAKE PANASOFFKEE RESTORATION GROUNDBREAKING CEREMONY

DATE AND TIME: Friday, January 30, 2004, 10:00 a.m. – 12 Noon

PLACE: Spoil Site Disposal Area, County Road 482 South, Lake Panasoffkee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Groundbreaking ceremony of the Lake Panasoffkee Restoration project.

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 meeting to which all interested parties are invited.

AGRICULTURAL ADVISORY COMMITTEE

DATE AND TIME: Wednesday, January 29, 2004, 4:00 p.m.

PLACE: Tampa Service Office, 7601 U. S. 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend.

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

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disabilities Act (ADA) should call 1(800)423-1476 (Florida) or (352)796-7211, Extension 4757, Fax (352)754-6883, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Monday, January 26, 2004, 2:00 p.m.

PLACE: Jonathan Dickinson State Park, 16450 S. E. Federal Highway, Hobe Sound, FL 33455

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Loxahatchee River Management Coordinating Council

A tour of Jonathan Dickinson State Park will take place prior to the regular meeting at 10:00 a.m.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6880, 210 Atlanta Avenue, Stuart, Florida 34994.

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: Kathy LaMartina, Martin/St.Lucie Service Center, (772)223-2600, Ext. 3603, 210 Atlanta Avenue, Stuart, FL 34994.

The **South Florida Water Management District** announces a public meeting(s) to which all interested parties are invited:

DATE AND TIME: Thursday, January 29, 2004, 12:30 p.m. – 4:30 p.m.

PLACE: Environmental Learning Center, Disney Wilderness Preserve, 2700 Scrub Jay Trail, Kissimmee, Florida 34759

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Issues Workshop on The Kissimmee Basin Regional Water Supply Plan Update.

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/agendas.html>) or by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Persons with disabilities who need assistance may contact Paula Moree, Deputy District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact:

Chris Sweazy, (407)858-6100, Ext 3822, [csweazy@sfwmd.gov](mailto:csweazy@sfwmd.gov), Orlando Service Center, or

Paula Moree, (561) 682-6447, [pmoree@sfwmd.gov](mailto:pmoree@sfwmd.gov), District Clerk's Office, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

### COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces an emergency Medicaid Committee Meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 20, 2004, 1:00 p.m. – completion

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida 32819, (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Medicaid non-emergency transportation issues.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

### REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Regular Board Meeting and Joint Meeting with the Southwest Florida Water Management District to which all persons are invited:

DATE AND TIME: Monday, January 26, 2004, 9:00 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

DATE AND TIME: Monday, January 26, 2004, 1:30 p.m.

PLACE: Marriot Westshore, 1001 N. Westshore Blvd., Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Meeting of the Southwest Florida Water Management District Governing Board and the Tampa Bay Water Board of Directors to discuss furthering the partnership between the agencies.

If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at [www.tampabaywater.org](http://www.tampabaywater.org). The joint meeting agenda will focus on the Downstream Augmentation and Re-use Projects as a basis for further partnering between the parties to achieve potable supply, conservation, and environmental goals.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

---

#### DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** will hold its quarterly meeting in Tallahassee, Florida. This is a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 26, 2004, 1:00 p.m.

PLACE: The Knott Building, 404 South Monroe Street, Room 116, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Nancy Schiellerd, Florida Department of Veterans' Affairs, 2540 Executive Center Circle, West, The Douglas Building, Suite 100, Tallahassee, Florida 32301

Please telephone, (850)487-1533, at least 48 hours prior to the workshop.

---

#### DEPARTMENT OF ELDER AFFAIRS

The **Northeast Florida Area Agency on Aging** (PSA4) announces a Budget/Finance Committee meeting, and a Board of Directors meeting to which all persons are invited:

DATE AND TIME: January 21, 2004, 1:30 p.m. – Budget and Finance Committee; 2:30 p.m. – Board of Directors Meeting

PLACE: Wolfe Conference Room, Flagler Hospital, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business; Voting on committee recommendations; Funding distribution; Election of Treasurer

A copy of the agenda may be obtained by contacting: The Northeast Florida Area Agency on Aging, Inc., 4401 Wesconnett Blvd., 2nd Floor, Jacksonville, FL 32210, (904)777-2106.

---

#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a teleconference meeting of the Comprehensive Health Information System Advisory Council to which all interested parties are invited.

DATE AND TIME: Tuesday, February 3, 2004, 10:30 a.m.

PLACE: Anyone interested in participating may telephone (850)488-5776 or Suncom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the collection, analysis and dissemination of health care data.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

---

The **Agency of Health Care Administration** (AHCA) and the **Office of Insurance Regulation** (OIR) announce the Seventh Meeting of the Governor's Task Force on Access to Affordable Health Insurance to which all interested persons are invited.

DATE AND TIME: February 2, 2004, 10:00 a.m. – 1:00 p.m.

PLACE: Room 412, Knott Building, The Capitol, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Introductions and background information for the task force, summary of the previous Task Force meetings, and finalization of the draft Task Force report.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Ms. Audrey Sumrall, (850)413-2552, at least five calendar days prior to the meeting.

A copy of the agenda and meeting materials may be obtained by writing: Mr. Gary Crayton, Principal, Health Management Associates, 301 S. Bronough Street, Suite 500, Tallahassee, Florida 32301 or by visiting our website at [http://www.fdhc.state.fl.us/affordable\\_health\\_insurance/index.shtml](http://www.fdhc.state.fl.us/affordable_health_insurance/index.shtml).



**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Department of Business and Professional Regulation** announces a public meeting, under the Government in the Sunshine Law, Chapter 286, Florida Statutes, of the Homeowners' Association Task Force.

**DATES AND TIMES:** January 28, 2004, 9:00 a.m. – 4:00 p.m.

**PLACE:** The Knott Building, The Capital, Room 412, Tallahassee, Florida 32399-0001 (All attendees must enter through the Capital)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Homeowners' Association Task Force, a cross-section of representatives involved with homeowners' associations, was created at the Governor's request to harmonize and improve relations between homeowners, homeowners' associations and other related entities. The members will provide input and make recommendations for legislative change consistent with his vision for government and regulation.

The final meeting is scheduled for January 28, 2004 in Tallahassee. Attendance may be in person or by telephone by calling (850)921-5230 or Suncom 291-5230. Persons attending by telephone will be charged 6.9 cents per minute in addition to any personal long distance carrier charges.

For copies of the agenda and specific issues to be addressed or for any other information, contact: Marlita Peters, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)414-9223 or Suncom (850)214-9223.

Any person requiring special accommodations due to disability or physical impairment should contact the agency at least two business days prior to the meeting in order to request any special assistance by calling (850)414-9223 or TDD 1(800)955-8770.

The Florida **Board of Architecture and Interior Design** announces the following meeting, to which all persons are invited to attend.

**DATE AND TIME:** February 4, 2004, 9:00 a.m. (EST)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Committee Meetings: Architecture, Interior Design, and Rules, followed by the General Board and Business Meeting.

**DATE AND TIME:** February 5, 2004, 9:00 a.m. (EST)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Board and Business Meeting

**PLACE:** Crowne Plaza Oceanfront North Palm Beach, 3200 North Ocean Drive, Singer Island, Florida 33404, (561)842-6171

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 **Department of Business and Professional Regulation** announces a public meeting of the Florida **Barber's Board** to which all persons are invited to participate.

**DATE AND TIME:** Sunday, February 22, 2004, 9:00 a.m.

**PLACE:** Radisson Hotel Miami, 1601 Biscayne Boulevard, Miami, Florida 33132

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General meeting of the board to conduct regular board business.

A copy of the agenda may be obtained by writing: Florida Barbers' Board, 1940 North Monroe Street, Suite #60, Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

**DATE AND TIMES:** January 27, 2004, 9:00 a.m. and 10:00 a.m. or soon thereafter

**PLACE:** Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

---

The Florida **Board of Landscape Architecture** announces the following meeting, to which all persons are invited to attend.

DATE AND TIME: February 6, 2004, 9:00 a.m. (EST)

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-8304

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Landscape Architecture, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Board of Professional Engineers** announces a public conference call meeting of the Legislative and Rules Committee to which all persons are invited.

DATE AND TIME: Thursday, January 29, 2004, 2:00 p.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303, Conference Call Number 1(800)497-7708

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on proposed legislation and review of current and proposed rules.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Natalie Lowe, (850)521-0500.

---

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited:

DATE AND TIME: Tuesday, February 10, 2004, 9:00 a.m.

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reporting forms and requests for course approval.

If you wish to participate in this meeting or receive a copy of the agenda, please contact: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

---

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a meeting to which all persons are invited.

DATE AND TIME: Monday, February 2, 2004, 9:00 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The **Florida Real Estate Appraisal Board (FREAB)** announces a meeting to which all persons are invited.

DATES AND TIMES: Monday, February 2, 2004, 1:00 p.m. or the soonest thereafter; reconvening Tuesday, February 3, 2004, 8:30 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions and general subject matter.

If a person decides to appeal a decision made by the Board, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Ashley Dashnaw, Regulatory Specialist III, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

---

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

---

#### DEPARTMENT OF JUVENILE JUSTICE

The Florida **Department of Juvenile Justice**, Juvenile Justice and Delinquency Prevention State Advisory Group announce a Conference Call meeting.

DATE AND TIME: Tuesday, January 20, 2004, 2:00 p.m. – 4:00 p.m. Conference Call Number 1(877)651-3473, Suncom 293-9245 or (850)413-9245

GENERAL SUBJECT MATTER TO BE CONSIDERED: RFP requirements and funding allocations.

For further information please call: Ana Valdes, Office of Prevention and Victim Services, (850)410-2577.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Department of Juvenile Justice, Office of Prevention and Victim Services, (850)488-3302, no later than (7) days prior to the meeting at which such special accommodation is required.

---

#### DEPARTMENT OF HEALTH

The Florida **Board of Massage Therapy** will hold the following Education Task Force meeting to which all persons are invited:

DATE AND TIME: Wednesday, January 28, 2004, 12:00 p.m. or shortly thereafter

PLACE: The Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Massage Therapy educational requirements.

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 includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 or (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Board of Massage Therapy** will hold the following meeting to which all persons are invited:

DATES AND TIME: Thursday, January 29, 2004; Friday January 30, 2004, 9:00 a.m. or shortly thereafter

PLACE: The Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 or (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The **Department of Health**, Dietetics and Nutrition Practice Council, under the **Board of Medicine** announces a General Business Meeting via conference call to which all persons are invited.

DATE AND TIME: February 27, 2004, 11:00 a.m. or soon thereafter

PLACE: The meet me number is (850)487-8856, Suncom 277-8856

GENERAL SUBJECT MATTER TO BE ADDRESSED: General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the council office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

The **Department of Health** and the Dietetics and Nutrition Practice Council, under the **Board of Medicine**, announces a meeting to which all persons are invited.

DATE AND TIME: May 21, 2004, 10:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

PLACE: The Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399, (850)245-4373

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

The **Department of Health**, Dietetics and Nutrition Practice Council, under the **Board of Medicine** announces a General Business Meeting via conference call to which all persons are invited.

DATE AND TIME: August 13, 2004, 9:30 a.m. or soon thereafter

PLACE: The meet me number is (850)487-8856, Suncom 277-8856

GENERAL SUBJECT MATTER TO BE ADDRESSED: General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the council office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

The **Department of Health** and the Dietetics and Nutrition Practice Council, under the **Board of Medicine**, announces a meeting to which all persons are invited.

DATE AND TIME: November 5, 2004, 10:00 a.m. or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

PLACE: The Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399, (850)245-4373

A copy of the agenda may be obtained by writing: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the council office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the council with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

**The Department of Health, Board of Occupational Therapy Practice** announces a General Board Meeting to which all persons are invited:

DATE AND TIME: February 2, 2004, 9:00 a.m. (EST) or soon thereafter

PLACE: The Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE ADDRESSED: General Board Business.

A copy of the agenda may be obtained by writing: Department of Health, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

**The Department of Health, Board of Occupational Therapy Practice** announces a General Board Meeting to which all persons are invited:

DATE AND TIME: May 3, 2004, 9:00 a.m. (EST) or soon thereafter

PLACE: The Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE ADDRESSED: General Board Business.

A copy of the agenda may be obtained by writing: Department of Health, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

**The Department of Health, Board of Occupational Therapy Practice** announces a General Board Meeting to which all persons are invited:

DATE AND TIME: August 2, 2004, 9:00 a.m. (EST) or soon thereafter

PLACE: The Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE ADDRESSED: General Board Business.

A copy of the agenda may be obtained by writing: Department of Health, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Occupational Therapy Practice** announces a General Board Meeting to which all persons are invited:

DATE AND TIME: November 1, 2004, 9:00 a.m. (EST) or soon thereafter

PLACE: The Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE ADDRESSED: General Board Business.

A copy of the agenda may be obtained by writing: Department of Health, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling the board office, (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)245-4373. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

---

The **Department of Health, Board of Opticianry** announces that the official Board meeting scheduled for the date below has been changed to a telephone conference call. All interested parties are invited to attend.

DATE AND TIME: January 28, 2004, 9:00 a.m.

PLACE: Call (850)245-4474 and ask for Robin McKenzie to obtain the call in phone number

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting. He/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to the meeting date.

---

The **Department of Health, Board of Pharmacy**, Pharmacist Prescribing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2004, 10:00 a.m.

PLACE: Teleconference Meeting, (850)410-0960, (850)210-0960 Suncom

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to appoint an additional member to the committee.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Lucy Gee, Interim Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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

---

The **Department of Health, Board of Podiatric Medicine**, hereby gives notice that a public workshop for the purposes of rule development on Rule Chapter 64B18-14, F.A.C., will be held at the time, date and place listed below:

TIME AND DATE: February 5, 2004, 9:00 a.m. or shortly thereafter

PLACE: Radisson Plaza Hotel Orlando, 60 South Ivanhoe Boulevard, Orlando, Florida 32804, (407)425-4455

A notice of rule development was published in Vol. 30, No. 3, of the January 16, 2004 Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT WORKSHOP IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The **Department of Health, Board of Respiratory Care** announces a meeting to which all persons are invited.

DATE AND TIME: February 13, 2004, 8:30 a.m. or soon thereafter

PLACE: 4042 Bald Cypress Way, Room 301, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by writing: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (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 at (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.

---

The Florida **Department of Health** announces a meeting of the Florida KidCare Coordinating Council to which all persons are invited:

DATE AND TIME: Monday, February 9, 2004, 9:30 a.m. – 12:00 p.m.

PLACE: Betty Easley Conference Center, Room 180, Capital Circle Office Center, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Secretary of the Florida Department of Health, will meet on Monday, February 9, 2004, 9:30 a.m. – 12:00 p.m. in Tallahassee to discuss Florida KidCare, the state children's health insurance program. The Council is charged with making recommendations to the Department, the Governor and the Legislature, as well as other state government groups about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A COPY OF THE AGENDA MAY BE OBTAINED FROM: Gail Vail, Department of Health, (850)245-4444, Ext. 2238, Gail\_Vail@doh.state.fl.us.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Office on Homelessness, is issuing a Notice of Change for the meeting of the Supportive Housing Development Committee of the Council on Homelessness.

The meeting is Cancelled for January 29, 2004, 2:00 p.m. – 3:00 p.m. but will take place on:

DATE AND TIME: February 5, 2004, 2:00 p.m. – 3:00 p.m.

PLACE: Teleconference call in number (850)921-2583

For more information, contact: Tom Pierce, Office on Homelessness, (850)922-9850.

---

The **Council on Homelessness** announces a change in its conference call meeting of its Discharge Planning Committee, that was to be held on February 24, 2004. The new date is as follows, to which all persons are invited.

COMMITTEE: Discharge Planning

DATE AND TIME: February 23, 2004, 10:00 a.m. – 11:00 a.m.

PLACE: Call (850)488-5776 or SunCom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce the number of persons who may be facing homelessness in Florida.

A copy of the agenda may be obtained by contacting: Tom Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-9850, Tom\_Pierce@dcf.state.fl.us.

Pursuant to Chapter 286.26, Florida Statutes, any disabled person wishing to access this meeting who may be in need of special assistance should contact the Office on Homelessness 850/922-4691, at least 48 hours in advance of the meeting.

---

The **Department of Children and Family Services**, Office on Homelessness, is issuing a cancellation notice for its meeting of the Discharge Planning Committee of the Council on Homelessness to which all interested persons are invited.

DATE AND TIME: February 27, 2004, 10:00 a.m. – 11:00 a.m.

PLACE: Teleconference number (850)922-9067

For more information, contact: Thomas Pierce, Office on Homelessness, (850)922-9850.

---

**FLORIDA HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces the following Review Committee meeting to which all persons are invited to attend:

DATE AND TIME: Monday, January 26, 2004, 2:00 p.m.

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, FL 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of responses submitted for Florida Housing Finance Corporation's Request for Proposals #2003/03 for the Development of Transitional Housing for Victims of Domestic Violence.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Robin Grantham, at Florida Housing Finance Corporation, (850)488-4197, at least five (5) calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by Florida Housing Finance Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings be made, which record shall include the testimony and evidence upon which the appeal is to be based.

---

The **Florida Housing Finance Corporation** announces a public meeting of the Corporation, to which all persons are invited:

DATES AND TIME: Concurrent Wednesdays beginning January 2004 and ending December 31, 2004, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 1st Floor, Conference Room, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Corporation's State Housing Initiatives Partnership (SHIP) Program Review Committee. The purpose of these Review Committee Meetings is to consider SHIP related matters and approve New and Amended Local Housing Assistance Plans submitted by any of the 67 counties or 48 entitlement municipalities participating in the SHIP Program.

A copy of the weekly agenda may be obtained through the Corporation's SHIP Web Page at [www.floridahousing.org](http://www.floridahousing.org). Any change to the agenda or the cancellation to the meeting will be posted on the SHIP web page prior to the meeting.

Any person requiring a special accommodation at these meetings because of a disability or physical impairment should contact Darlene Raker, Florida Housing Finance Corporation,

1(850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the 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 Corporation with respect to any matter considered at this meeting, 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 be made, which record includes the testimony and evidence upon which the appeal is to be based.

---

**DEPARTMENT OF FINANCIAL SERVICES**

The Office of Financial Regulation of the Financial Services Commission announces a public hearing to which all persons are invited:

DATE AND TIME: January 27, 2004, 9:00 a.m., during a regular meeting of the Financial Services Commission. The corresponding meeting of the Cabinet Aides will take place on January 21, 2004, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of Amendments to Rules 3E-600.015, F.A.C. Notice of the proposed action was published in Vol. 29, No. 52, December 26, 2003 issue of the Florida Administrative Weekly.

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting: Bill Reilly, (850)410-9805.

---

**ONE CHURCH, ONCE CHILD OF FLORIDA**

The **One Church, One Child of Florida**, Inc. announces the Board of Directors Conferences calls for the year of 2004.

DATES AND TIMES: January 13, 2004; February 10, 2004; March 9, 2004; April 13, 2004; May 11, 2004; June 8, 2004; July 13, 2004; August 10, 2004; September 14, 2004; October 12, 2004; November 9, 2004; December 14, 2004, 10:00 a.m. – 12:00 Noon

PLACE: Telephone Numbers (850)922-7892, Suncom 292-7892, Toll Free 1(800)416-4132

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conferences calls are general discussions.

A copy of the agenda may be obtained by contacting: Paulette Glover, (850)414-5616, Suncom 294-5616.

---



**LEON COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The Development Review Committee of the **Leon County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: Every second Tuesday of each month at 8:30 a.m. through June 2004

PLACE: Innovation Park Administrative Centre, 1736 West Paul Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: The development and operation of Innovation Park and related matters.

Any person who desires to appeal a decision of the Leon County Research and Development Authority will need a record of the proceedings of the Authority conducted at such meetings. Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance.

For information regarding the proposed agenda, interested persons may contact: Ms. Lewis, (850)575 0031.

The Board of Governors of the **Leon County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: Every third Tuesday of each month at 8:30 a.m. through June 2004

PLACE: Innovation Park Administrative Centre, 1736 West Paul Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: The development and operation of Innovation Park and related matters.

Any person who desires to appeal a decision of the Leon County Research and Development Authority will need a record of the proceedings of the Authority conducted at such meetings. Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance.

For information regarding the proposed agenda, interested persons may contact: Ms. Lewis, (850)575-0031.

**FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY**

There will be a scheduled meeting of The **Florida Atlantic Research and Development Authority**, Board of Directors to which all interested persons are invited to participate.

DATE AND TIME: January 21, 2004, 8:00 a.m.

PLACE: The Research Conference Room, 3701 FAU Blvd., Boca Raton, Florida 33431

For agenda and information contact: Scott Ellington, Executive Director of the Authority, (561)416.6092.

**TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

The **Technological Research and Development Authority** (TRDA) announces a general meeting of its Board of Directors to which all persons are invited to participate.

DATE AND TIME: January 21, 2004, 1:00 p.m.

PLACE: Technological Research and Development Authority, 5195 South Washington Avenue, Titusville, Florida 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board of Director's Meeting.

A copy of the agenda may be obtained by contacting: Dave Kershaw, TRDA Deputy Director, (321)269-6330 or [dkershaw@trda.org](mailto:dkershaw@trda.org).

**SAFE COUNCIL**

The **Secure Airports for Florida's Economy** (SAFE) Council announces a Board of Director's meeting and teleconference to which the public is invited.

DATE AND TIME: January 23, 2004, 10:00 a.m. – 11:30 a.m.

PLACE: Office of Center for Urban Transportation Research, University of South Florida, 4202 E. Fowler Avenue, Room 202, Tampa, FL 33620 (To attend via telephone call: 1(866)249-5325, participant code 393255)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct necessary business of the Council.

For more information, contact: Ms. Judy Blanchard, (321)690-3397.

To obtain a copy of the agenda write: The SAFE Council, 403 Brevard Avenue, Suite 1, Cocoa, Florida 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Aerospace Finance Corporation.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

**FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION**

The **First Florida Governmental Financing Commission** announces the following regular public meeting, where all interested parties are invited:

DATE AND TIME: Friday, January 23, 2004, 11:00 a.m.

PLACE: Commission Chambers, City Hall, City of Gainesville, 200 East University Avenue, Gainesville, Florida

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, Post Office Box 14923, Tallahassee, FL 32317-4923, (850)878-1874.

**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, January 27, 2004, 11:00 a.m. – 12:30 p.m.

PLACE: Holiday Inn – Suwannee Room, 3559 W. US Highway 90, I-75, Exit 427, Lake City, FL 32056, (386)752-3901

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. Urban Working Group  
DATE AND TIME: Tuesday, January 27, 2004, 11:00 a.m. – 12:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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. Marketing Working Group  
DATE AND TIME: Tuesday, January 27, 2004, 1:00 p.m. – 2:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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. Competitiveness Working Group

DATE AND TIME: Tuesday, January 27, 2004, 3:00 p.m. – 5:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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. Partner Council  
DATE AND TIME: Wednesday, January 28, 2004, 8:00 a.m. – 12:00 Noon

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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. Strategic Plan Committee  
DATE AND TIME: Wednesday, January 28, 2004, 2:00 p.m. – 3:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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 International Business Council

DATE AND TIME: Wednesday, January 28, 2004, 2:00 p.m. – 3:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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. Small Business Council

DATE AND TIME: Wednesday, January 28, 2004, 2:00 p.m. – 3:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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. Defense and Space Advisory Council

DATE AND TIME: Wednesday, January 28, 2004, 2:00 p.m. – 4:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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, January 28, 2004, 3:30 p.m. – 5:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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, January 28, 2004, 4:00 p.m. – 5:00 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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, January 29, 2004, 8:30 a.m. – 12:30 p.m.

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

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).

---

**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, January 28, 2004, 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, January 23, 2004.

---

**FLORIDA LOCAL GOVERNMENT INVESTMENT TRUST**

The Board of Trustees for the **Florida Local Government Investment Trust** announce a public meeting to which all persons are invited.

DATE AND TIME: January 30, 2004, 9:00 a.m.

PLACE: Hilton Hotel, 4000 S. Sandestin Blvd., San Destin, Florida 32550

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Administrative Operations. A copy of the agenda may be obtained by contacting the Trust's Administrator, FACC Service Corporation, (850)921-0808.

---

**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued a Declaratory Statement in response to a request received from Superior Aluminum Installations on September 23, 2003. It was assigned the number DCA03-DEC-173.

The Commission determined that the structure in question is a screen enclosure as defined in Chapter 2 of the Florida Building Code, Building Volume (2001 as amended 06/03) that is, by definition, not habitable space. Because no alternative definition is provided in Chapter 27, Florida Building Code, Building Volume, or the referenced electrical code, the definition in Chapter 2 applies.

A copy of the Declaratory Statement 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 Florida Building Commission has issued a Declaratory Statement in response to requests received from Structural Systems, Inc., DCA03-DEC-247, on September 10, 2003 and Robert G. Andrews, DCA03-DEC-261, received on September 12, 2003.

The Commission determined that compliance with the ventilation requirements of Florida Building Code, Mechanical Volume, for the subject project is achieved by natural ventilation through openable area, including garage doors, to the outdoors which is at least 4 percent of the floor area of the garage. Section 1205.1, Florida Building Code, Building Volume (2001 as amended 06/03) does not apply to the residential garage spaces in question.

A copy of the Declaratory Statement 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 Florida Building Commission has issued a Declaratory Statement in response to a request received from Wilson Window on June 18, 2003. It was assigned the number DCA03-DEC-179.

The Commission determined that the proposed installation of panels inside of the window, thereby exposing the glazing to penetration, fails to comply with Section 1606.1.4, Florida Building Code, Building Volume (2001 as amended 06/03).

A copy of the Declaratory Statement 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 Florida Building Commission received a request for Declaratory Statement on December 15, 2003, from Simpson Strong-Tie Company, Inc., with regards to approval of products pursuant to Rule Chapter 9B-72, Florida Administrative Code, that have been tested and evaluated by application of standards that differ from those expressly adopted within the Florida Building Code. It has been assigned the number DCA03-DEC-331.

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 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.”

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**NOTICE TO DESIGN/BUILDERS:**

The University of Florida Facilities Planning and Construction office announces that Design/Build services will be required for the project listed below:

Project No. UF-201, Powell Family Structures and Materials Testing Laboratory, University of Florida, Gainesville, Florida. The project consists of the design and construction services for 8,565 GSF, a one story enclosed building to house a concrete testing area, several offices, an instrumentation area, necessary support spaces and a storage area.

The estimated cost of design and construction is \$2,600,000.00.

The contract for Design/Build services will be based on the AIA 191-1996 edition of the Standard Form of Agreements between Owner and the Design/Builder (with amendments as required to reflect the UF construction program). Part One, the design services includes full design services, value engineering, constructability analyses, estimating, and will conclude with the development of a Guaranteed Maximum Price (GMP) at 60% Construction Document phase. If the GMP is accepted, Part Two, the construction phase, will be implemented. In Part Two of the contract, the Design/Builder becomes the single point of responsibility for the completion of the design and construction documents and construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for Part One of the contract or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the Design/Builder's contract. Selection of finalists for interviews will be made on the basis of Design/Builder (and/or design/builder's architect/engineer consultant) qualifications, including experience and ability, past experience, bonding capacity, record-keeping/administrative ability, critical path scheduling expertise, cost estimating, cost control ability, quality control capability, safety records, and qualification of the firm's personnel, staff and consultants. Finalists will be provided with a copy of the building program and a description of the final interview requirements. The Selection Committee may reject all proposals and stop the selection process at any time. Applicants desiring to provide Design/Build services for the project shall submit a letter of application and a completed University of Florida "Design/Build Qualifications Supplement." Proposals must not exceed 80 pages, including the Design/Build Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. All applicants must be licensed to practice as Architects and General Contractors in the State of Florida at the time of application. For the Architect of Record, a blanket professional liability insurance will be required for this project in the amount of \$1,000,000.00, and will be provided as a part of Basic Services.

Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Design/Build applicant not to submit a

proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Design/Build applicant 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. The University of Florida's Design/Build Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting University Facilities Planning and Construction office or available from the website: [www.facilities.ufl.edu](http://www.facilities.ufl.edu). Five (5) bound copies of the required proposal data shall be submitted to:

Bahar Armaghani  
Project Manager/Quality Assurance Coordinator  
University of Florida Facilities Planning and Construction  
232 Stadium, P. O. Box 115050  
Gainesville, FL 32611-5050  
Telephone: (352)294-0080  
Fax: (352)392-6378

Submittals must be received in the UF Facilities Planning and Construction office by 3:00 p.m., local time on Monday, February 16, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

---

#### REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-154, W/O 674948, Replace Chilled Water Piping to Buildings 131, 557 & 634, estimated budget: \$300,000-\$340,000, to be opened February 12, 2004, at 2:00 P.M., local time, in Purchasing, Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Replacement of underground chilled water piping between chiller plant and Buildings 131, 557 & 634. Specifications and Plans will be available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL, Telephone (352)392-1331. A Mandatory Pre-bid Meeting will be held January 27, 2004, at 10:30 a.m. in the Physical Plant Division Architecture/ Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to A. J. Sontag, C.P.M., Associate Director, UF Purchasing, (352)392-1331, Ext. 304. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-bid or Bid opening, contact Purchasing, (352)392-1331, within three (3) days of the event.

---

Invitation to Bid

Turner/PSA invites all trade contractors to bid on Florida A & M University College of Law Project located in downtown Orlando, Florida.

The project consists of approximately 160,000 SF gross area, library, classroom, atrium/moot courtroom, administrative offices and clinic.

Documents are available for bidding by contacting Chase Hawthorne Turner/PSA, (407)210-2547.

Bids will be accepted for the following trades: Temporary Toilets, Rubbish Removal, Site Fencing, Trailers, Cleaning/Labor, Carpenter's/Labor, Job Photos, Sitework, Site Furnishings, Hardscape, Landscaping and Irrigation, Foundations and Concrete Work, Masonry Work, Structural Steel and Miscellaneous Metals, Rough Carpentry and Installation of Doors and Hardware, Finish Carpentry, Waterproofing, Caulking and Sealants, Roofing, Fireproofing, Doors, Frames and Hardware, Overhead Doors, Glass and Glazing, Metal Panels, Drywall, Stucco and Acoustical, Ceramic Tile, VCT and Carpet, Wall Panels, Painting and Wall Covering, Visual Display Surfaces, Toilet Compartments and Accessories, Miscellaneous Specialties, Signage, Metal Lockers, Postal Specialties, Mobile Storage Shelving Units (Power Assisted), Library Equipment, Projection Screens, Miscellaneous Equipment, Blinds and Window Treatments, Audience Seating, Elevators, Fire Protection, HVAC and Plumbing, Electrical, and Material and Testing. Bids are due January 26, 2004, 2:00 p.m. Please submit sealed bids (2 copies) to Turner Construction Company's office is located at 800 N. Magnolia Avenue, Suite 500, Orlando, FL 32803. Fax bids will not be accepted. Bids will be opened at Turner's office on January 26, 2004.

Pre-Bid meeting is scheduled for January 15, 2004 at 2:00 p.m. Meeting will be held at Callahan Neighborhood Center, 101 North Parramore Avenue, Orlando, FL 32801, Telephone (407)246-2305. Directions:

West

I-4 W toward ORLANDO. Take the South Street ext – exit number 83 - on the left. Turn right onto W. South Street. Turn Right onto South Parramore Avenue. End at 101 South Parramore Avenue.

East

Merge Onto I-4 East Via Exit Number 259 Toward Orlando. Take The SR 526/Robinson St Exit- Exit Number 83a. Turn Left Onto W Robinson St/FI-526. Continue To Follow W Robinson St. Turn Left Onto N Parramore Ave. End At 101 N Parramore Ave Orlando Fl.

All bidders are encouraged to attend.

Turner/PSA is committed to equal opportunity and strongly encourage all interested M/WBE and small business firms and suppliers to submit bids.

All contractors desiring to pre-qualify for consideration shall submit a pre-qualification statement prior to bidding. A copy of our pre-qualification form can be obtained by contacting: Durga Kalsi, (407)210-2523.

Turner/PSA reserves the right to reject any and all bids, waive informalities and irregularities in bidding and to accept bids which are considered by Turner/PSA to be in the best interest of the project.

PUBLIC ANNOUNCEMENT OF  
CONSTRUCTION MANAGEMENT  
SELECTION RESULTS

The Florida School for the Deaf and the Blind announces that on the date listed below ranking was determined and an intent was issued to negotiate and enter into a contract for Construction Management Services in accordance with the Consultants Competitive Negotiation Act for the following:

DATE: January 7, 2004

NAME OF AGENCY: The Florida School for the Deaf and the Blind

PROJECT NUMBER: FSDB-20040009

PROJECT NAME: Wartmann Hall Renovation

1. Perry-McCall Construction, Inc., Jacksonville
2. W.G. Mills, Inc., Jacksonville
3. Batson Cook Company, Jacksonville

**BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND**

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

**WATER MANAGEMENT DISTRICTS**

REQUEST FOR BID  
RFB No. 03/04-021 RM

The Suwannee River Water Management District (District) is soliciting bids for selected restoration activities at Blue Springs in Lafayette County. These restoration activities include, but are not limited to, constructing concrete walkways and pads, wooden stairs and landing, earthwork and shaping, fencing, and planting for stabilization. Estimated cost is \$45,000.

Blue Springs is located in Lafayette County, Florida, east of County Road 251B approximately six miles northwest of Mayo. A location map is included with the plans.

A copy of this RFB will be available on January 16, 2004, at www.srwmd.state.fl.us OR requests for the RFB document may be directed to:

Sandra Keiser, Administrative Assistant  
Suwannee River Water Management District  
9225 CR 49  
Live Oak, FL 32060  
(386)362-1001 or 1(800)226-1066 (Florida only)

A full size set of plans can be obtained by contacting: Bailey Bishop & Lane, Inc., (386)752-5640.

A pre-bid meeting (non-mandatory) will be held at 10:30 a.m. on Wednesday, January 28, 2004, at District headquarters. All responses are due at District headquarters no later than 4:00 p.m. on Friday, February 6, 2004. Any questions regarding this project should be directed to Jerry Bowden, (386)362-1001 or 1(800)226-1066 (Florida only). Bidders are encouraged to inspect the work site prior to submitting bid.

REQUEST FOR BID  
RFB No. 03/04-020 RM

The Suwannee River Water Management District (District) is soliciting bids for construction of a floating barrier at Little River Springs in Suwannee County. The floating barrier will be placed at the intersection of Little River Springs and the Suwannee River in order to prevent motorized craft, such as boats and jet skis, from entering the recreational area of the spring. Estimated cost is under \$10,000.

Little River Springs is located in Suwannee County, Florida, approximately six miles north of Branford Springs. To visit the site, follow State Road 129 to County Road 248. Go west on County Road 248 to the end of the roadway. Go south to the spring entrance.

A copy of this RFB will be available on January 16, 2004, at www.srwmd.state.fl.us OR requests for the RFB document may be directed to:

Sandra Keiser, Administrative Assistant  
Suwannee River Water Management District  
9225 CR 49  
Live Oak, FL 32060  
(386)362-1001 or 1(800)226-1066 (Florida only)

A pre-bid meeting (non-mandatory) will be held at 9:00 a.m. on Wednesday, January 28, 2004, at District headquarters. All responses are due at District headquarters no later than 3:00 p.m. on Friday, February 6, 2004. Any questions regarding this project should be directed to Jerry Bowden, (386)362-1001 or 1(800)226-1066 (Florida only). Bidders are encouraged to inspect the work site prior to submitting bid.

FLORIDA SPACE AUTHORITY

Request for Proposals  
for

Anticipated Communications Services

The Florida Space Authority (FSA) is seeking expressions of interest and statements of qualification for persons or companies to provide marketing/communication services for FSA and its Board of Supervisors.

The expression should include the qualifications of individual or team resumes, list of previous clients represented, and examples of similar marketing products. Proposals must be limited to twenty (20) pages, excluding examples of marketing products. Proposals shall be evaluated based on the following criteria:

- a) Proposal page count
- b) Qualifications of individual or team resumes
- c) Experience with similar projects
- d) Work product
- e) References
- f) Breakdown of rates (including proposed services and billable hourly rates for key personnel)

The awarded contractor(s) will work with the designated FSA employee to develop the Authority's marketing materials including, but not limited to, brochures, ads, website design, annual report, crisis communications, and market research. Please include your estimated rates for these services. Any contract awarded shall be subject to the availability of funds.

Florida's Governor and Legislature created the FSA as a state government space agency in 1989. FSA'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 FSA 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 three (3) copies of their expression of interest in a sealed envelope entitled "REQUEST FOR PROPOSALS FOR ANTICIPATED COMMUNICATIONS SERVICES" to: Contracts Manager, Florida Space Authority, 100 Spaceport Way, Cape Canaveral, FL 32920-4003. Applications must be received no later than 3:00 p.m. on January 30, 2004. Questions should be addressed to Glenn Vera, Deputy Director, (321)730-7301, Ext. 1103. The Florida Space Authority reserves the right to accept or reject any and all responses in the best interest of the State.



**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."

**CITY OF FT. LAUDERDALE****NOTICE TO CONTRACTORS**

Sealed bids will be received until 9:00 a.m. on Wednesday, February 11, 2004 in the Office of the City Engineer, Public Services Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for PROJECT 10510 – PUMP STATION REHABILITATION PROJECT

This project consists of Drawing File No. 10510, consisting of 34 sheets.

The work includes: Final design and construction to complete the modification of the following five master pump stations: A-2, A-17, A-18, A-19 and A-21. Rehabilitation of the pump stations shall include the replacement of existing piping and valves, and installation of new dry-pit submersible pumps, variable frequency drives, above grade electrical enclosure and control panel and 480-volt electrical service.

A pre-bid meeting will be held at 10:00 a.m. on Tuesday, January 20, 2004 at the Program Management Team Office at 200 North Andrews Avenue, Fort Lauderdale, Florida including a tour of the pump stations.

Bidding blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer.

This project is funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplement Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for 5 percent of the amount bid, made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line, (954)828-5688. For general inquiries – please call (954)828-5772.

**NOTICE TO CONTRACTORS**

Sealed bids will be received until 9:00 a.m. on Wednesday, February 11, 2004 in the Office of the City Engineer, Public Services Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for PROJECT 10383 – 20" D.I.P. FORCEMAIN ON 27th AVENUE, FROM S. W. 14th STREET TO N. W. 6th STREET AND FROM N. W. 27TH AVENUE TO S.C.L. RAILROAD"

This project consists of Drawing File No. WS-02-005, 33 sheets including cover sheet.

The work includes construction of approximately 8,350 linear feet of 20" ductile iron pipe and 1,900 LF of 16" ductile iron pipe, including all the interconnects and appurtenances.

Bidding blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer.

A pre-bid meeting will be held at 2:00 p.m. on Wednesday, January 21, 2004 at the Program Management Team office at 200 North Andrews Avenue, Suite 300 (third floor), Fort Lauderdale, Florida. Attendance at the pre-bid meeting is recommended, but not mandatory.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for five percent (5%) of the amount bid, made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

This project is funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplemental Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line, (954)828-5688. For general inquiries – please call (954)828-5772.

**GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY**

**REQUEST FOR BIDS**

**PROJECT # 04-003 – RUNWAY 10-28 REHABILITATION**

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the rehabilitation of Runway 10-28. The work shall include, pavement pulverization, bituminous asphalt paving, hydroseeding, grooving, painting runway and taxiway pavement markings, and other miscellaneous items.

Complete sets of bid documents will be available for review or purchase beginning January 12, 2004 at the office of Eng-Denman & Associates, 2404 N. W. 43rd Street, Gainesville, FL 32606, Phone (352)373-3541.

A payment of One-Hundred, Seventy-Five dollars and 00/cents (\$175.00) will be required to purchase each set of the bid documents.

A mandatory pre-bid conference will be held on Thursday, January 29, 2004 at 11:00 a.m. at the Gainesville Regional Airport, Passenger Terminal, 3880 N. E. 39th Avenue, Gainesville, FL 32609.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked: "Project No. 04-003 – Runway 10-28 Rehabilitation" and mailed or delivered to the Authority's Administrative Office, Gainesville Regional Airport, Attn: Chief Executive Officer, 3880 N.E. 39th Avenue, Suite A, Gainesville, FL 32609.

Bids are due at 2:00 p.m. Tuesday, February 10, 2004 and will be publicly opened at this time. The official clock is located in the Authority's Administrative Office. Bids received after 2:00 p.m. February 10, 2004 will not be considered.

GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Airport.

For additional information, contact: Allan Penksa, (352)373-0249.

**Section XII  
Miscellaneous**

**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 HEALTHCARE ADMINISTRATION**

The Agency for Healthcare Administration has received an application for services exemption from St. Mary's Hospital, Florida pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The service category for which the exemptions are requested are: Hyperbaric Medicine. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

Additional information may be obtained by writing: Sonya Longfellow, Hospital and Outpatient Services Unit, Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)487-2717, e-mail: [longfels@fdhc.state.fl.us](mailto:longfels@fdhc.state.fl.us).

**CERTIFICATE OF NEED**

**DECISIONS ON BATCHED APPLICATIONS**

The Agency for Health Care Administration made the following early decision on the Certificate of Need application for Other Beds and Programs batching cycle with an application due date of November 26, 2003:

County: Sarasota Service District: 8  
CON # 9736 Decision Date: 1/5/2004 Decision: A  
Facility/Project: BEAM Management, LLC  
Applicant: BEAM Management, LLC

Project Description: Establish a 120-bed skilled nursing facility through the delicensure of 120 inactive skilled nursing beds at CLC Venice Beach  
Approved Cost: \$5,917,256

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

**CERTIFICATE OF NEED**

**RECEIPT OF EXPEDITED APPLICATIONS**

The Agency For Health Care Administration received the following Certificate of Need applications for expedited review:

County: Duval Service District: 4  
Facility/Project: Lakeside Nursing and Rehabilitation Center  
Applicant: Five Points Health Care, Ltd.

Project Description: Transfer CON #7734 after exempt division to divide into 62 SNF beds and 18 SNF beds



Program; the amount, if any, set aside by FHFC's Board of Directors for resolution of pending or settled litigation; and the amount, if any, otherwise made available to FHFC. The State Bond Allocation initially dedicated to the MMRB Program by the Board will be distributed as follows: 59% to large counties, 31% to medium counties and 10% to small counties.

All Applications must be submitted to Florida Housing Finance Corporation, City Centre Building, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 in accordance with the provisions of all applicable Florida Statutes, and Rule Chapter 67-21, F.A.C.

For more information on opening and closing dates of the application cycle, to find out when the application package will be available, the cost, if any, of the application package, or to obtain an application, please access Florida Housing's web site at [www.floridahousing.org](http://www.floridahousing.org) or contact: Jean Amison, Multifamily Bond Program, (850)488-4197.

If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

## DEPARTMENT OF FINANCIAL SERVICES

### NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at [http://www.dbf.state.fl.us/banking/cu\\_expansion.html](http://www.dbf.state.fl.us/banking/cu_expansion.html).

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., February 6, 2004):

#### EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: The Credit Union of Palm Beach County, 3469 Summit Boulevard, West Palm Beach, Florida 33406

Expansion Includes: Geographic

Received: December 16, 2003

---

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN December 29, 2003  
 and January 2, 2004

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**DEPARTMENT OF EDUCATION**  
**Florida School for the Deaf and the Blind**

6D-3.008	12/30/03	1/19/04	29/40	
6D-6.020	12/30/03	1/19/04	29/40	
6D-12.002	12/30/03	1/19/04	29/40	
6D-16.002	12/30/03	1/19/04	29/40	
6D-17.002	12/30/03	1/19/04	29/40	

**Commission for Independent Education**

6E-1.0032	12/31/03	1/20/04	29/29	
-----------	----------	---------	-------	--

**DEPARTMENT OF TRANSPORTATION**

14-15.010	1/2/04	1/2/04	29/50	
-----------	--------	--------	-------	--

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Driver Licenses**

15A-9.001	12/31/03	1/20/04	29/36	
15A-9.002	12/31/03	1/20/04	29/36	
15A-9.003	12/31/03	1/20/04	29/36	29/41
15A-9.004	12/31/03	1/20/04	29/36	
15A-9.005	12/31/03	1/20/04	29/36	29/41
15A-9.006	12/31/03	1/20/04	29/36	
15A-9.007	12/31/03	1/20/04	29/36	29/41
15A-9.008	12/31/03	1/20/04	29/36	29/41
15A-9.009	12/31/03	1/20/04	29/36	
15A-9.010	12/31/03	1/20/04	29/36	29/41
15A-9.011	12/31/03	1/20/04	29/36	
15A-9.013	12/31/03	1/20/04	29/36	
15A-9.014	12/31/03	1/20/04	29/36	