

(a) The Division of Elections shall conduct a review of the submitted security procedures to determine if they meet the minimum requirements set forth in this rule. The Division of Elections will notify the supervisor of elections as to the results of the review within 90 days of the date security procedures are received and within 30 days of the date revisions to the security procedures are received in the office of the Division of Elections. If the Division is unable to complete its review within the time frames established in this rule, the procedures or revisions shall be temporarily approved until such time as the review is completed and the supervisor of elections will be notified accordingly. The notification of the results of the review will include an enumeration of specific provisions which were found to be incomplete or otherwise do not meet the provisions of this rule.

(b) Security procedures on file with the Division of Elections shall be reviewed by the Division of Elections in each odd numbered year, pursuant to Section 101.015(4)(b), F.S.

(5) Standards for Security Procedures.

(a) Security Procedures shall include copies of each referenced form, schedule, log or checklist or descriptions of the contents of forms, schedules, logs or checklists that vary from election to election.

(b) Election Schedule. The security procedures shall require the establishment of an election schedule at least 90 days prior to each regularly scheduled election and within 20 days of the date a special election is scheduled. The election schedule shall contain the following:

1. A list of all tasks necessary to conduct the election,
2. The legal deadline, where applicable, or tentative date each task is to be completed; and
3. The individual (position, title), group or organization responsible for completing each task.

(c) Ballot Preparation. The security procedures shall describe the steps necessary to insure that the ballot contains the proper races, candidates and issues for each ballot variation and that the ballots can be successfully tabulated. The ballot preparation procedures shall, at a minimum, contain the following:

1. Method and materials required to determine each type of ballot or ballot variations;
2. Assignment of unique marks, ~~punches~~ or other coding necessary for identifying ballot variations or precincts;
3. Verification that unique marks, punches, or other coding necessary for tabulation are correct; ~~and~~
4. Description of system used to facilitate ballot preparation, if applicable; and
5. Description of method to verify that all ballots and ballot variations are accurately prepared and printed.

(d) Preparation and Configuration of Tabulation System.

1. The procedures relating to the preparation and configuration of the tabulation system shall, at a minimum, include the following:

- a. Description of the ballot definition and verification process;
- b. Description of the steps necessary to program the system; and
- c. Description of the process to install the program and the procedures for verification of correctness.

2. The security procedures shall describe the test materials utilized and the voting system tests performed prior to the conduct of the public logic and accuracy test.

(e) Logic and Accuracy Test. The security procedures for use with electronic and electromechanical voting systems shall, at a minimum, describe the following aspects of logic and accuracy testing as required by Section 101.5612, F.S.:

1. Description of each test performed including test materials utilized.
2. Description of how the programs, ballots, and other test materials are sealed, secured and retained.

(f) Filing election parameters. The security procedures shall include filing with ~~Counties shall establish procedures to provide~~ the Division of Elections a copy of the software and ~~with~~ parameters used within the voting system to define, for each election, the tabulation and reporting instructions. The filing shall, at a minimum, include the following: within 24 hours after the completion of any logic and accuracy test conducted pursuant to Section 101.5612(1), F.S., or pre-election test conducted pursuant to Section 101.35, F.S. Counties using paper ballots shall file election parameters prior to the election:

1. Copy of the voting system software: For electronic and electromechanical systems, the election parameters shall be submitted in a format readable by the tabulation system and shall be accompanied by a copy of the tabulation program. If the voting system cannot produce a machine readable copy, election parameters may be submitted as printed listings or copies of the original coding sheets.
2. Copy of the administrative database used to define the election: For voting machines the election parameters shall be a copy of the instructions used to prepare the voting machines for each election.
3. Copy of all election-specific files generated and used by the system: For the tabulation of paper ballots by hand count, the election parameters shall be a written description of the tabulation plan for the election.
4. Documentation stating the release level of the precinct tabulation equipment and firmware; and
5. If the election definition is created by an individual who is not an employee of the supervisor of elections, then the parameters shall include an affidavit signed by the person who created the election definition. The affidavit shall be in substantially the following form:

ELECTION PARAMETER AFFIDAVIT

Under the penalties of false swearing, I do solemnly swear (or affirm) that the (name of election) election coding for _____ County was assembled according to specified procedures using (name of system and Florida certification number). Furthermore, included with the election materials is a duplicate copy of the administrative database used to define the election, a copy of the voting system software, a copy of all election-specific files generated and used by the system and a document stating the release level of the precinct tabulation equipment and firmware. Signature of the Person Coding the Election.

Sworn to and subscribed before me this _____ day of _____, Notary Signature.

(g) Pre-election Steps for Voting Machines. The security procedures for use with ~~mechanical or electromechanical~~ voting machines shall, at a minimum, include the following:

1. Description of how the number of voting machines for each precinct is determined; ~~and~~
2. Description of each component of the public test, including any test materials utilized;
3. Description of the process to seal and secure the voting machines. It shall also provide for a record to be kept on which the identification numbers, seal numbers and protective counter numbers for voting machines shall be noted; ~~and~~
4. Description of the procedures for retaining the test results and any records of the proceedings.

(h) Ballot Distribution. Where paper ballots (as defined in ~~subparagraph (2)(a)1, subparagraphs (2)(a)2, and 3,~~ of this rule) are used, the security procedures shall, at a minimum, include the following:

1. Description of how the number and variations of ballots required by each precinct is determined;
2. Description of the method for securing the ballots; and
3. Description of the process for distributing the ballots to precincts, to include an accounting of who distributed and who received the ballots, the date, and how they were checked.

~~(i) Distribution of Precinct Tabulation Equipment. The security procedures shall describe the steps necessary for distributing voting system equipment to the precincts. Distribution of Voting Machines. Where voting machines are used, the security procedures shall describe the steps necessary for compliance with the requirements of Chapter 101, F.S., pertaining to voting machine distribution.~~

(j) Election Board Duties.

1. The security procedures for use when paper ~~where~~ ballots, including provisional ballots ~~(as defined in paragraph (2)(a)2, of this rule)~~ are used shall, at a minimum, include the following Election Board duties:

- a. Verification that the correct number of ballots were received, and that they are the proper ballots for that precinct;

- b. Checking the operability or readiness of the voting equipment;

- c. Checking and sealing the ballot box;
- d. Description of how spoiled ballots are handled;
- e. Description of how write-in ballots are handled; and
- f. Accounting for all ballots after the polls close.

2. The security procedures for use with voting machines shall, at a minimum, include the following Election Board duties:

- a. Verification of the identification numbers, seal numbers, and protective counter numbers of precinct tabulation and/or DRE devices ~~voting machines;~~

- b. Checking the operability or readiness of the voting equipment;

- c. Verification that all counters are set at zero on each voting device ~~machine;~~

- d. Securing a printed record from each voting system ~~machine~~, if applicable;

- e. Checking the correctness of the ballot;
- f. Preparing voting devices ~~machines~~ for voting;
- g. Verification that the correct number of signature identification slips were received;

- h. Checking and sealing the signature identification slip container(s);

- i. Handling white-in ballots;
- j. Handling voting system ~~machine~~ malfunctions;
- k. Securing ~~Locking~~ voting machines at the close of the polls to prevent further voting;

- l. Accounting for all signature identification slips received; and

- m. Recording and verifying the votes cast.

(k) Transport of Ballots. The security procedures shall describe the steps necessary to ensure a complete record of the chain of custody of ~~for compliance with the requirements of Chapter 101, F.S., which pertain to the transportation of~~ ballots and shall include:

1. A description of the method and equipment used to transport all ballots;

~~2. A method of recording the Election Board's certification required by Section 101.5614(2)(a), F.S.;~~

~~2.3. A method of recording the names of the individuals who transport the ballots from one site to another and the time they left the sending site; and~~

~~3.4. A method of recording the time the individuals who transport the ballots arrived at the receiving site and the name of the individual at the receiving site who accepted the ballots.~~

(l) Receiving and Preparing the Ballots for Central and Regional Counting. Where ballots (as defined in subparagraph 2, (2)(a)2, of this rule) are used, the security procedures shall describe the process of receiving and preparing voted ballots for counting to include, at a minimum, the following:

1. Verification that all of the ballot containers are properly secured and accounted for and that the seal numbers are correct;

2. Verification that the ballot container(s) for each precinct contain voted ballots, unused ballots, spoiled ballots, and write-in ballots as shown to exist on the forms completed each election board for that purpose;

3. Inspection of the ballots to identify those which must be duplicated or upon which voter intent is unclear, thus requiring a determination by the Canvassing Board. A voter record shall be kept of which ballots are submitted to the Canvassing Board and the disposition of those ballots; and

4. Description of the process for duplicating and recording the voted ballots which are damaged or defective.

(m) Tabulation of Vote.

1. The security procedures for use with central and regional counting sites shall describe each step of a ballot tabulation to include, at a minimum, the following:

- a. Counting and reconciliation of voted precinct ballots;
- b. Processing, tabulation and reconciliation of voted ballots;
- c. Processing and recording of all write-in votes;

d. Responses to machine checks for electronic or electromechanical voting systems;

e. The process for handling unreadable ballots and returning any duplicates to tabulation;

f. Backup and recovery of tabulated results and voting system programs for electronic or electromechanical voting systems; and

g. Describe the process for public viewing of the tabulation process and access to results.

2. Security procedures shall describe the steps necessary for vote tabulation in the precincts. ~~Where voting machines are used, the security procedures shall describe the steps necessary for compliance with the requirements of Chapter 101, F.S., which pertain to vote tabulation.~~

3. The security procedures for use in all other cases shall include procedures which describe each step of ballot tabulation to include, at a minimum, the following:

- a. Printing of precinct results and results from individual tabulating devices.
- b. Processing and recording of write-in votes;
- c. Endorsing a copy of the precinct results by the Election Board;
- d. Posting of precinct results;
- e. Transport of precinct results to central or regional site;
- f. Consolidation of precinct and absentee ballot results; and
- g. Describe the process for public viewing of the tabulation process and access to results.

4. The procedures for resolving discrepancies between the counted ballots and voted ballots and any other discrepancies found during the tabulation process shall be described.

(n) Electronic Access to Voting Systems. Security procedures ~~for electronic or electromechanical voting systems~~ shall identify all methods of electronic access to the vote tabulation system, including procedures for authorizing electronic access and specific functions, and specifying methods for detecting, controlling and reporting access to the vote tabulation system.

(o) Absentee Ballot Handling. The security procedures shall include procedures which describe absentee ballot handling to include, at a minimum, the following:

- 1. Description of process for determining and verifying absentee ballot variations;
- 2. Description of process to insure voters are issued the proper absentee ballot;
- 3. Process for precluding voters from voting at the polls and casting an absentee ballot;
- 4. Process for opening valid absentee ballots in preparation for tabulation;
- 5. Process for recording the receipt of advance absentee ballots, regular absentee ballots, State write-in ballots and Federal write-in ballots and determining which ones should be counted if more than one is received; and
- 6. Security measures for storing absentee ballots and related materials prior to and after an election.

(p) Ballot Security. The security procedures shall describe ballot accountability and security beginning with their receipt from a printer or manufacturer until such time as they are destroyed. The procedures for each location shall describe physical security, identify who is authorized access, and identify who has the authority to permit access.

(q) Voting System Maintenance and Storage. The security procedures shall describe the maintenance and testing performed on all components of the system ~~electronic, electromechanical and mechanical devices~~ to insure that ~~it is~~ they are in proper working order and ~~is are~~ within manufacturer's operating specifications. Procedures shall also describe storage and nonoperational maintenance of all voting equipment.

(6) Access to Tabulation Program Source Code.

(a) No supervisor shall have access to any vote tabulation program source code to be used in an election unless prior approval has been obtained from the Division of Elections. Approval shall be based on the supervisor establishing security procedures which provide for maintaining a secured control copy of the certified release of the tabulation program source code; protecting source code from unauthorized access; and verification that the tabulation program source code used for each election is identical to the certified release.

(b) Any modification to tabulation program source code must be certified by the Division under the provisions of Rule Chapter Chapters 1S-5 and 1S-7, F.A.C., before use in any election.

Specific Authority 120.535, 101.015 FS. Law Implemented 101.015(4) FS. History--New 5-27-85, Formerly 1C-7.15, 1C-7.015, Amended 8-28-93, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE TITLE: RULE NO.:

General Requirements for the Manufacturing, Processing, Packing, Holding and Retailing of Foods 5K-4.004

PURPOSE AND EFFECT: To promote food safety, and to notify consumers, food retailers, wholesalers or transporters, regarding health and safety concerns of consuming or selling dietary supplements containing ephedrine alkaloids.

SUBJECT AREA TO BE ADDRESSED: Adulterated foods, specifically dietary supplements.

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

LAWS IMPLEMENTED: 500.09, 500.12(2)(b) FS.

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

TIME AND DATE: 10:00 a.m., April 13, 2004

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Dr. J.D. Warren, 3125 Conner Blvd., Suite D, Tallahassee, Florida 32399-1650, (850)488-0295

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-4.004 General Requirements for the Manufacturing, Processing, Packing, Holding and Retailing of Foods.

The provisions of subsections (1) through ~~(7)~~(6) shall apply in determining whether the facilities, methods, practices and controls used in the manufacture, processing, packing, holding, retailing or offering for sale of foods are in conformance with or are operated or administered in conformity with this rule to assure that food for human consumption is safe.

(1) through (6) No change.

(7) DIETARY SUPPLEMENTS CONTAINING EPHEDRINE ALKALOIDS. Dietary supplements containing ephedrine alkaloids present an unreasonable risk of illness or injury to health under conditions of use recommended or suggested in the labeling, or if no conditions of use are recommended or suggested in the labeling, under ordinary

conditions of use. Therefore ephedrine alkaloids are deleterious substances, and dietary supplements containing ephedrine alkaloids are adulterated under Section 500.10, F.S.

~~(8)~~(7) EXCLUSIONS. The following operations are excluded from coverage under these general regulations, however, the department will issue special regulations when believed necessary to cover these excluded operations: Establishments engaged solely in the harvesting, storage, or distribution of one or more raw agricultural commodities which are ordinarily cleaned, prepared, treated or otherwise processed before being marketed to the consuming public.

~~(9)~~(8) REVIEW OF PLANS BY THE DEPARTMENT.

(a) An Applicant or holder of a food permit may request assistance from the department in the review of construction or remodeling plans to evaluate conformance with requirements as established in this chapter.

(b) The fee for plan review assistance will be determined by multiplying the number of reviewer hours expended in reviewing plans and in consulting with the applicant, at the rate of \$30.10 per hour. An additional flat fee of \$25.00 per plan review will be charged for associated expense costs such as FAX, telephone, mailing, shipping or document duplication expenditures incurred by the department. Time expended shall be recorded in quarter hour increments with a minimum charge of one hour per plan review.

Payment for plan review assistance is due 15 days from the date of invoice from the department.

Specific Authority 500.09, 500.12, 570.07(23) FS. Law Implemented 500.02, 500.03, 500.032, 500.121, 500.172, 500.04, 500.10, 500.13, 500.09, 500.12(2)(b) FS. History--Revised 3-1-72, Repromulgated 12-31-74, Amended 1-18-83, Formerly 5E-6.04, 5E-6.004, Amended 9-30-96, _____.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Qualification, Selection and Performance Evaluation Requirements for Professional Consultants to Perform Work for DOT 14-75

RULE TITLE: RULE NO.:

Consultant Qualification Process 14-75.0022

PURPOSE AND EFFECT: The Request for Qualification Package for Professional Consultants, DOT Form 375-030-01, is being revised to include two new fields. Because this form was previously incorporated by reference, the revised form also must be incorporated by reference in the same manner as the previous version. The website address also is updated.

SUBJECT AREA TO BE ADDRESSED: This amendment incorporates by reference a revised version of the Request for Qualification Package for Professional Consultants, DOT Form 375-030-01. The website address also is updated.

SPECIFIC AUTHORITY: 287.055, 334.044(2), 337.105 FS.

LAW IMPLEMENTED: 287.055, 337.107, 337.1075, 337.167 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-75.0022 Consultant Qualification Process.

(1) through (2) No change.

(3) Application for Qualification.

(a) A Professional Consultant who desires to qualify with the Department shall submit a Request for Qualification Package for Professional Consultants, Form No. 375-030-01, Rev. 03/04 ~~01/03~~, incorporated herein by reference, which may be obtained from the Procurement Office, MS 20, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida 32399-0450, or from the Department's web page at <http://www.dot.state.fl.us/procurement/> ~~www11.myflorida.com/procurement/~~.

(b) through (7) No change.

Specific Authority 287.055, 334.044(2), 337.105 FS. Law Implemented 287.055, 337.107, 337.1075, 337.167 FS. History--New 3-29-89, Amended 1-2-91, 9-29-92, 2-22-94, 8-5-96, 1-17-99, 8-2-01, 4-29-03, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Standards for Fresh Squeezed

RULE CHAPTER NO.:

Citrus Juices 20-49

PURPOSE AND EFFECT: Repealing Rules 20-49.001 through 20-49.0071, F.A.C., which are now superceded by Food & Drug Administration's rule 21CFR Part 120, and amending Rule 20-49.008, F.A.C., to allow up to 10% *Citrus Reticulata* in fresh squeezed orange juice from oranges licensed to use the "Florida Citrus Growers" symbol.

SUBJECT AREA TO BE ADDRESSED: Repealing of rule sections which are no longer necessary and allowing Citrus Reticulata to be used in fresh squeezed orange juice.

SPECIFIC AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.29, 601.33, 601.38 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE CHAPTER TITLE: Organization and Procedure

RULE CHAPTER NO.:

40C-1

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-1, 40C-2, 40C-4, 40C-20, 40C-40, 40C-41, and 40C-42, F.A.C., and the associated Applicant's Handbooks incorporated by reference, that propose to: (a) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas, (b) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area, and (c) lower the current CUP permit thresholds in Rule 40C-2.041, F.A.C., in the proposed Wekiva Recharge Protection Area for requiring CUPs in that area. The District is also analyzing the impact of redevelopment projects in the proposed Wekiva Recharge Protection Area upon aquifer recharge and considering the development of rules to require certain redevelopment projects that are currently exempt to obtain an ERP.

SUBJECT AREA TO BE ADDRESSED: (1) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas; (2) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the

proposed Wekiva Recharge Protection Area; (3) lower CUP thresholds in Rule 40C-2.041, F.A.C., for requiring CUPs in the proposed Wekiva Recharge Protection Area, and (4) require certain redevelopment projects in the proposed Wekiva Recharge Protection Area that are currently exempt to obtain an ERP.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.415 FS.

LAW IMPLEMENTED: 373.109, 373.1131, 373.219, 373.223, 373.229, 373.413, 373.414, 373.415, 373.416 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, email address nmesser@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE CHAPTER TITLE: Permitting of Consumptive Uses of Water

RULE CHAPTER NO.: 40C-2

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-1, 40C-2, 40C-4, 40C-20, 40C-40, 40C-41, and 40C-42, F.A.C., and the associated Applicant's Handbooks incorporated by reference, that propose to: (a) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas, (b) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area, and (c) lower the current CUP permit thresholds in Rule 40C-2.041, F.A.C., in the proposed Wekiva Recharge Protection Area for requiring CUPs in that area. The District is also analyzing the impact of redevelopment projects in the proposed Wekiva Recharge Protection Area upon aquifer recharge and considering the development of rules to require certain redevelopment projects that are currently exempt to obtain an ERP.

SUBJECT AREA TO BE ADDRESSED: (1) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas; (2) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area; (3) lower CUP thresholds in Rule 40C-2.041, F.A.C., for requiring CUPs in the proposed Wekiva Recharge Protection Area, and (4) require certain redevelopment projects in the proposed Wekiva Recharge Protection Area that are currently exempt to obtain an ERP.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.415 FS.

LAW IMPLEMENTED: 373.109, 373.1131, 373.219, 373.223, 373.229, 373.413, 373.414, 373.415, 373.416 FS.

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

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE CHAPTER TITLE: Environmental Resource Permits:

RULE CHAPTER NO.: 40C-4

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-1, 40C-2, 40C-4, 40C-20, 40C-40, 40C-41, and 40C-42, F.A.C., and the associated Applicant's Handbooks incorporated by reference, that propose to: (a) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas, (b) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the

proposed Wekiva Recharge Protection Area, and (c) lower the current CUP permit thresholds in Rule 40C-2.041, F.A.C., in the proposed Wekiva Recharge Protection Area for requiring CUPs in that area. The District is also analyzing the impact of redevelopment projects in the proposed Wekiva Recharge Protection Area upon aquifer recharge and considering the development of rules to require certain redevelopment projects that are currently exempt to obtain an ERP.

SUBJECT AREA TO BE ADDRESSED: (1) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas; (2) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area; (3) lower CUP thresholds in Rule 40C-2.041, F.A.C., for requiring CUPs in the proposed Wekiva Recharge Protection Area, and (4) require certain redevelopment projects in the proposed Wekiva Recharge Protection Area that are currently exempt to obtain an ERP.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.415 FS.

LAW IMPLEMENTED: 373.109, 373.1131, 373.219, 373.223, 373.229, 373.413, 373.414, 373.415, 373.416 FS.

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE CHAPTER TITLE: Standard General Water Use Permits
RULE CHAPTER NO.: 40C-20

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-1, 40C-2, 40C-4, 40C-20, 40C-40, 40C-41, and 40C-42, F.A.C., and the associated Applicant's Handbooks incorporated by reference, that propose to: (a) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated

environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas, (b) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area, and (c) lower the current CUP permit thresholds in Rule 40C-2.041, F.A.C., in the proposed Wekiva Recharge Protection Area for requiring CUPs in that area. The District is also analyzing the impact of redevelopment projects in the proposed Wekiva Recharge Protection Area upon aquifer recharge and considering the development of rules to require certain redevelopment projects that are currently exempt to obtain an ERP.

SUBJECT AREA TO BE ADDRESSED: (1) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas; (2) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area; (3) lower CUP thresholds in Rule 40C-2.041, F.A.C., for requiring CUPs in the proposed Wekiva Recharge Protection Area, and (4) require certain redevelopment projects in the proposed Wekiva Recharge Protection Area that are currently exempt to obtain an ERP.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.415 FS.

LAW IMPLEMENTED: 373.109, 373.1131, 373.219, 373.223, 373.229, 373.413, 373.414, 373.415, 373.416 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, email address nmesser@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE CHAPTER TITLE: Standard General Environmental
 RULE CHAPTER NO.: 40C-40

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-1, 40C-2, 40C-4, 40C-20, 40C-40, 40C-41, and 40C-42, F.A.C., and the associated Applicant's Handbooks incorporated by reference, that propose to: (a) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas, (b) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area, and (c) lower the current CUP permit thresholds in Rule 40C-2.041, F.A.C., in the proposed Wekiva Recharge Protection Area for requiring CUPs in that area. The District is also analyzing the impact of redevelopment projects in the proposed Wekiva Recharge Protection Area upon aquifer recharge and considering the development of rules to require certain redevelopment projects that are currently exempt to obtain an ERP.

SUBJECT AREA TO BE ADDRESSED: (1) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas; (2) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area; (3) lower CUP thresholds in Rule 40C-2.041, F.A.C., for requiring CUPs in the proposed Wekiva Recharge Protection Area, and (4) require certain redevelopment projects in the proposed Wekiva Recharge Protection Area that are currently exempt to obtain an ERP.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.415 FS.

LAW IMPLEMENTED: 373.109, 373.1131, 373.219, 373.223, 373.229, 373.413, 373.414, 373.415, 373.416 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Norma K. Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32178-2529, (386)329-4459, Suncom 860-4459, email address nmesser@sjrwm.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE CHAPTER TITLE: Surface Water Management
 RULE CHAPTER NO.: 40C-41

PURPOSE AND EFFECT: The St. Johns River Water Management District gives notice that it is developing rules in Chapters 40C-1, 40C-2, 40C-4, 40C-20, 40C-40, 40C-41, and 40C-42, F.A.C., and the associated Applicant's Handbooks incorporated by reference, that propose to: (a) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas, (b) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area, and (c) lower the current CUP permit thresholds in Rule 40C-2.041, F.A.C., in the proposed Wekiva Recharge Protection Area for requiring CUPs in that area. The District is also analyzing the impact of redevelopment projects in the proposed Wekiva Recharge Protection Area upon aquifer recharge and considering the development of rules to require certain redevelopment projects that are currently exempt to obtain an ERP.

SUBJECT AREA TO BE ADDRESSED: (1) amend the consumptive use permit (CUP) and environmental resource permit (ERP) rules to create a District wide consolidated environmental resource/consumptive use permit (ER/CUP) permitting process for certain projects that require both an ERP under Part IV of Chapter 373, F.S., and a CUP under Part II of Chapter 373, F.S., and that involve irrigation of golf course areas, landscaped recreational areas, or landscaped common areas; (2) expand the area within which the recharge criteria in subsection 40C-41.063(3), F.A.C., apply to include the proposed Wekiva Recharge Protection Area; (3) lower CUP thresholds in Rule 40C-2.041, F.A.C., for requiring CUPs in the proposed Wekiva Recharge Protection Area, and (4) require certain redevelopment projects in the proposed Wekiva Recharge Protection Area that are currently exempt to obtain an ERP.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Continuing Education Standards
 RULE NO.: 61G18-16.003

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

SUBJECT AREA TO BE ADDRESSED: Continuing Education Standards.

SPECIFIC AUTHORITY: 474.206, 474.211, 474.212 FS.

LAW IMPLEMENTED: 474.211, 474.212 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-16.003 Continuing Education Standards.

- (1) No change.
- (2) Approved courses are scientific and continuing education courses provided by:
 - (a) National, State and International veterinary association meetings and Board meetings.
 - (b) Board Certified Specialties recognized by the AVMA
 - (c) University of Florida, College of Veterinary Medicine sponsored courses, including clinical grand rounds, veterinary resident's seminars and Board specialty review sessions.
 - (d) The Registry of Approved Continuing Education Courses (RACE).

(3) Upon specific request, continuing education courses shall be approved by the Board whenever the courses provide additional current information with respect to the practice of veterinary medicine. Such requests shall include the following:

- (a) A detailed course outline or syllabus;
- (b) A current curriculum vitae of each speaker or lecturer;
- (c) The procedure to be used for recording attendance; and
- (d) The number of continuing education hours for which the course sponsor requests approval.

Specific Authority 474.206, 474.211, 474.212 FS. Law Implemented 474.211, 474.212 FS. History--New 12-10-81, Amended 8-15-84, 5-7-85, Formerly 21X-16.03, Amended 10-14-86, 3-26-90, Formerly 21X-16.003, Amended 8-18-94, 2-6-95, 7-4-95, 12-30-97,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Standards for Providers of Continuing
 RULE NO.: 61G18-16.0035

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

SUBJECT AREA TO BE ADDRESSED: Standards for Providers of Continuing Veterinary Medical Education.

SPECIFIC AUTHORITY: 474.206, 474.211, 474.212 FS.

LAW IMPLEMENTED: 474.211, 474.212 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-16.0035 Standards for Providers of Continuing Veterinary Medical Education.

- (1) through (3)(b) No change.
- (4) Providers must be registered with and approved by the Board. Such Board approval must be renewed by the Provider every four years.

Specific Authority 474.206, 474.211, 474.212 FS. Law Implemented 474.211, 474.212 FS. History--New 5-19-96, Amended 9-24-96,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Exemption of Spouses of Members of Armed
 RULE NO.: 61G18-23.002

PURPOSE AND EFFECT: The Board proposes to enact a new rule pursuant to Section 455.02(2), Florida Statutes.

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

SPECIFIC AUTHORITY: 455.02(2), 474.206 FS.

LAW IMPLEMENTED: 455.02(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0754
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

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 Orthotists and Prosthetists

RULE TITLE: Definitions
RULE NO.: 64B14-3.001

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

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 456.035(1), 468.802 FS.

LAW IMPLEMENTED: 456.035(1), 468.802, 468.803, 468.805, 468.807, 468.808, 468.809 FS.

THE BOARD WILL HOLD A PUBLIC WORKSHOP MEETING FOR THE PURPOSE OF RULE DEVELOPMENT AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., July 22, 2004

PLACE: Capital Circle Office Complex, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

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

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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399.

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, THEY MAY NEED TO ENSURE THAT

A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE CHAPTER TITLE: Licensure Requirements
RULE CHAPTER NO.: 64B14-4

PURPOSE AND EFFECT: The Board proposes to review the existing language in the entirety of this chapter to determine if amendments are necessary and/or new rules should be promulgated pertaining to licensure requirements.

SUBJECT AREA TO BE ADDRESSED: Licensure requirements.

SPECIFIC AUTHORITY: 456.017(1)(c),(d), 468.802, 468.803(2), 468.805(3) FS.

LAW IMPLEMENTED: 456.013(1),(7), 456.017(1)(c),(d), 468.803(2), 468.805(3) FS.

THE BOARD WILL HOLD A PUBLIC WORKSHOP MEETING FOR THE PURPOSE OF RULE DEVELOPMENT AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., July 22, 2004

PLACE: Capital Circle Office Complex, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

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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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE CHAPTER TITLE: Licensure Renewal
 RULE CHAPTER NO.: 64B14-5

PURPOSE AND EFFECT: The Board proposes to review the existing language in the entirety of this chapter to determine if amendments are necessary and/or new rules should be promulgated pertaining to licensure requirements.

SUBJECT AREA TO BE ADDRESSED: Licensure renewal.

SPECIFIC AUTHORITY: 456.013, 468.802, 468.806(2) FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.805(2), 468.806 FS.

THE BOARD WILL HOLD A PUBLIC WORKSHOP MEETING FOR THE PURPOSE OF RULE DEVELOPMENT AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., July 22, 2004

PLACE: Capital Circle Office Complex, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

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

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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE CHAPTER TITLE: Standards of Practice
 RULE CHAPTER NO.: 64B14-6

PURPOSE AND EFFECT: The Board proposes to review the existing language in the entirety of this chapter to determine if amendments are necessary and/or new rules should be promulgated pertaining to licensure requirements.

SUBJECT AREA TO BE ADDRESSED: Standards of practice.

SPECIFIC AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 468.802 FS.

THE BOARD WILL HOLD A PUBLIC WORKSHOP MEETING FOR THE PURPOSE OF RULE DEVELOPMENT AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., July 22, 2004

PLACE: Capital Circle Office Complex, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

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

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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE CHAPTER TITLE: Discipline
 RULE CHAPTER NO.: 64B14-7

PURPOSE AND EFFECT: The Board proposes to review the existing language in the entirety of this chapter to determine if amendments are necessary and/or new rules should be promulgated pertaining to licensure requirements.

SUBJECT AREA TO BE ADDRESSED: Discipline.

SPECIFIC AUTHORITY: 120.695, 456.057(16), 456.073, 456.077, 456.079(1), 468.802 FS.

LAW IMPLEMENTED: 120.695, 456.057(16), 456.063(1), 456.072(1)(o), (u), 456.073, 456.077, 456.079, 468.811, 468.802 FS.

THE BOARD WILL HOLD A PUBLIC WORKSHOP MEETING FOR THE PURPOSE OF RULE DEVELOPMENT AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., July 22, 2004

PLACE: Capital Circle Office Complex, 4052 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

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

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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

SECTION 286.0105, FLORIDA STATUTES, PROVIDES THAT, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THEY WILL NEED A RECORD OF PROCEEDINGS, AND FOR SUCH PURPOSES, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME.

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Community Based Residential Facilities	64E-12
RULE TITLES:	RULE NOS:
General	64E-12.001
Definitions	64E-12.002
Water Supply	64E-12.003
Food Service	64E-12.004
Housing	64E-12.005
Vermin Control	64E-12.006
Laundry	64E-12.008
Medications, Poisonous or Toxic Substances	64E-12.009
Garbage and Rubbish	64E-12.010
Recreational Areas	64E-12.011
Radon Testing	64E-12.012
Animal Health and Safety	64E-12.013
Inspection Forms	64E-12.014

PURPOSE AND EFFECT: The purpose of the proposed rule change is to incorporate technical and scientific advancements that promote the protection of the public from a safety, health, and sanitation perspective. The majority of these changes involve updating the rule's present requirements to more accurately reflect today's safety and health standards based on the Food and Drug Administration, Center for Disease Control, and other safety related data resource guidelines. Additionally, the purpose of the proposed change is to clarify identified standards in the existing rule as requested by the regulated community and regulatory officials.

SUBJECT AREA TO BE ADDRESSED: The changes will define terms used in statute and rule that have been identified as confusing or ambiguous as well as incorporate safety, health and general sanitation requirements that better safeguard the public against illnesses, injury and disease.

SPECIFIC AUTHORITY: 381.006(6)(16) FS.

LAW IMPLEMENTED: 381.006(6)(16) FS.

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

TIME AND DATE: 10:00 a.m., April 16, 2004

PLACE: Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robin Bowersox, Group Care Program Coordinator, Bureau of Facility Programs, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL. 32399-1710, (850)245-4277

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-12.001 General.

This rule prescribes sanitary practices relating to construction, operation and maintenance of ~~c~~Community ~~b~~Based ~~r~~Residential ~~f~~Facilities. If there is any written or implied language in this rule that may conflict with a rule written to regulate a specific type community based residential facility, the rule written for that specific type establishment will be followed. Base camps of wilderness programs shall be exempt from subsections (6) and (7) of Rule 64E-12.005, F.A.C., of this chapter, and the mobile components of wilderness programs shall be exempt from all sections of this rule. Personal services may be provided to the residents through coordinated outsourcing by the community based residential facility.

Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16), 386 FS. History--New 6-18-87, Formerly 10D-23.001, Amended _____.

64E-12.002 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meaning indicated:

(1) Community Based Residential Facilities – means any building or buildings, section of a building, or distinct part of a building or other place, whether operated for profit or not, which undertakes, through its ownership or management, to provide for a period exceeding 24 hours, housing, food service, and one or more personal services for persons not related to the owner or administrator by blood or marriage, who require such services. This term does not include correctional facilities, such as detention centers, jails or prisons.

(2) Department – means the Florida Department of Health and county health departments.

(3) Food Preparation – means the manipulation of foods intended for human consumption by such means as washing, slicing, peeling, chipping, shucking, scooping, and or portioning. The term also includes those activities involving temperature changes, combining ingredients, opening ready-to-eat food packages, or any other activity causing physical or chemical alterations in the food.

(4) Hot Water – means water heated to a minimum temperature of 100 degrees Fahrenheit (°F).

(5) Minor – means any person under the age of 18 years old.

(6) Open Water Hazard – means a body of water unprotected by a barrier or fence at least 4 feet in height on or adjacent to the property of a community based residential facility.

(7) Personal Services – means providing supervision, custodial care, or assisting a resident with the tasks or functions in their daily living activities, such as bathing, dressing, laundry, eating, ambulation, or monitoring medications.

(8)(2) Resident – means a person living residing in and receiving personal services from a community based residential facility typically due to a specific emotional, social, or health related condition.

(9) Wading Pool – means a temporary and portable pool that holds water, is less than 24 inches in depth and only allowed in private single-family residences. It may also be known as a kiddie pool.

Specific Authority 381.006(16) FS, Law Implemented 381.006(6), (16) FS, History–New 6-18-87, Amended 8-7-96, Formerly 10D-23.002, Amended _____.

64E-12.003 Water Supply.

(1) Water supplies shall be adequate to serve the demands of the facility and shall be constructed, operated and maintained in accordance with requirements of Chapters 62-550 and 62-555 or Chapter 64E-8, Florida Administrative Code (F.A.C.). Facilities served by a private well water supply not meeting the definition of a Chapter 64E-8 or a 62-550, FAC., drinking water supply must submit bacteriological water

test results annually to the local county health department (CHD). Laboratory test results must be negative for bacteriological contamination.

(2) Drinking water shall be accessible to all residents. When drinking fountains are available, they shall be designed in compliance with the Florida Building State Plumbing Code first edition including the 2002 Florida Code Inserts, Plumbing Volume May, 2001 and Chapter 553.06, Florida Statutes (F.S.). When no approved drinking fountains are available, residents shall be provided with single service cups or clean drinking utensils which shall be stored and dispensed in a manner to prevent contamination. Common drinking cups are prohibited.

(3) Hot and cold running water under pressure and at safe temperatures, not to exceed 120 degrees Fahrenheit at the faucet to prevent scalding, shall be provided to all restroom lavatories and bathing areas.

Specific Authority 381.006(16) FS, Law Implemented 381.006(6), (16) FS, History–New 6-18-87, Amended 8-7-96, Formerly 10D-23.003, Amended _____.

64E-12.004 Food Service.

There shall be three levels of food service with different minimal requirements in community based residential facilities based on facility type or the number of residents in care.

(1) Facilities meeting the definition of “adult family-care home” as defined in Section 400.618, F.S., or “family foster home” as defined in paragraph 409.175(2)(e), F.S., shall comply with the following requirements:

(a) Food used in the facility shall be clean, wholesome, free from spoilage and safe for human consumption. Canned food must be obtained from approved sources, which are state or federally licensed.

(b) The facility shall protect food from dust, flies, rodents and other vermin, toxic materials, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding by sewage, overhead leakage and all other sources of contamination at all times during storage, food preparation, and service.

(c) Food storage equipment shall be provided to keep all potentially hazardous foods at safe temperatures, 41°F or below or 140°F or above, except during necessary periods of preparation and service.

(d) At least a two compartment sink with hot and cold potable water under pressure shall be provided in the food preparation area. Facilities that were regulated by the Department prior to January 1, 2004, and have been in continuous operation since that time, are exempt from the two-compartment sink and may have only a single compartment sink in the food preparation area. This exemption is not transferable from one location to another or from one owner to another.

(e) Refrigeration units and hot food storage units used for the storage of potentially hazardous foods shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3 degrees Fahrenheit. The thermometer shall be located in the warmest or coldest part of the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed.

(2)(f) Except as described in (1) above, if food service is provided in the facility for 10 or fewer residents in care, the facility shall comply with the following requirements:

(a) Food used in the facility shall be clean, wholesome, free from spoilage and safe for human consumption.

(b) The facility shall store, prepare and serve foods in such a manner as to protect the food from dust, flies, rodents and other vermin, toxic materials, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding by sewage, overhead leakage and all other sources of contamination.

(c) Food storage equipment shall be provided to keep all potentially hazardous foods at safe temperatures, 45°F or below or 140°F or above, except during necessary periods of preparation and service.

(d) At least one sink with hot and cold potable water under pressure shall be provided in the food preparation area.

(2) If food service is provided in the facility for 11 or more, but fewer than 25, residents in care, the facility shall comply with the following requirements:

(a) Rules 64E-11.002, Definitions; 64E-11.003, Food Supplies; 64E-11.004, Food Protection; 64E-11.005, Personnel; subparagraphs 64E-11.013(3)(c), 1.2.4. of Chapter 64E-11, F.A.C., shall apply.

(b) Facilities opening or remodeling on or after July 1, 2004, shall give to the department, prior to construction or renovation of a food service operation, notification and plans of the proposed construction or renovation. Plans shall be submitted by the owner, prospective operator, or their designated representative. All plans shall be in compliance with this section, shall be drawn to scale, describe the layout, construction, general operation of the facility, equipment design and installation, copy of the intended menu, and similar aspects of the facility's food service operation.

(c)(b) The floor surfaces in kitchens, all the rooms and areas in which food is stored or prepared and in which utensils are washed or stored, shall be of smooth, nonabsorbent material and constructed so it can be easily cleaned and shall be kept clean and in good repair.

(d)(e) The walls and shelving ceilings of all food preparation areas, food storage areas, utensil washing and handwashing rooms or areas shall have smooth, easily cleanable surfaces. Walls shall be washable up to the highest level reached by splash or spray.

(e)(d) Hot and cold running water under pressure shall be easily accessible where food is prepared and where utensils are washed.

(f)(e) A handwashing sink facilities, provided with hot and cold running water, shall be located within the food preparation area and labeled as such in new residential facilities and residential facilities which are extensively altered. Existing facilities shall have until October 1, 2004, to comply with this requirement.

(g)(f) Multi-use equipment and utensils shall be constructed and repaired with materials that are non-toxic, corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable and durable under conditions of normal use; and shall not impart odors, color or taste nor contribute to the contamination of food.

(h)(e) All multi-use eating and drinking utensils shall be thoroughly cleaned with hot water and an effective detergent, then shall be rinsed free of such solution, then effectively sanitized as defined in Chapter 64E-11, F.A.C.

(i)(h) A three compartment sink or a two compartment sink or one compartment sink and a dishwasher with an effective, automatic sanitizing cycle, shall be provided for warewashing. Existing facilities shall have until October 1, 2004, to comply with this requirement. Machine sanitization may be accomplished by the use of chemical solutions, hot water or hot air. After sanitizing, utensils shall be air dried and properly stored. Other types of warewashing devices may be approved by the county health unit.

(j)(i) Refrigeration units and hot food storage units used for the storage of potentially hazardous foods shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3 degrees Fahrenheit. The thermometer shall be located in the warmest or coldest part of the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed.

(k)(j) No live animals shall be kept or allowed in the food storage, preparation and serving areas. Service animals are allowed in areas that are not used for food service that are usually open for residents and customers, such as dining and sales areas. Service animals shall be controlled by the disabled employee or person, to ensure a health or safety hazard will not result from the presence or activities of the service animal.

(l) Pets living in or visiting a community based residential facility are allowed in the common dining area at times other than meals if effective partitioning and self closing doors separate the common dining area from food storage, preparation, and service areas. In addition, all condiments, equipment, and utensils shall be stored in enclosed cabinets or removed from the common dining area when pets are present and the tables, countertops, and other similar surfaces are effectively cleaned before the next meal service.

(3) If food service is provided in the facility for 11 25 or more residents it shall comply with Chapter 64E-11, F.A.C. Existing facilities shall have until October 1, 2004, to comply with this requirement.

(4) If food is catered from outside sources, the caterer shall be licensed or regulated by a state or federal regulatory food program. A copy of a current catering agreement shall be provided to the county health department at least annually or when a change in the agreement occurs. The agreement shall minimally include the designated delivery times, method of hot and cold holding once food is delivered, whether bulk or individually portioned food will be provided, and a designated responsible party for multi-use equipment and utensil sanitization ~~comply with Chapter 64E-11, F.A.C.~~ Catered food once delivered to a community based residential facility must be adequately protected. The facility shall maintain a daily log indicating the date and time of delivery, name or type of potentially hazardous food(s), and the food temperatures upon arrival. Entries in the log shall be made at the time of delivery. These temperature logs shall be maintained and retained at the facility for a period not less than 6 months. The records required by this section must be made available for review by the department upon request of the department.

Specific Authority 381.006(16), 381.0072(2)(a) FS. Law Implemented 381.006(6), (16), 381.0072(2)(a),(b),(c), 386 FS. History—New 6-18-87, Formerly 10D-23.006, Amended _____.

64E-12.005 Housing.

(1) The facility shall provide safe and sanitary housing free from objects, materials, and conditions that constitute a danger to the residents.

(2) Floors, walls, ceilings, windows, doors and all appurtenances of the structures shall be of sound construction, properly maintained, easily cleanable and shall be kept clean.

(a) Floor surfaces shall be of non-slip type and maintained free of loose or broken tiles and boards, holes, uneven projections, protruding nails, tears, splinters, water spillage and other tripping hazards. Bathtubs and showers shall contain slip-resistant strips, slip-resistant rubber bath mats, or slip-resistant surfaces.

(b) Wall surfaces shall be maintained free of hazardous projections, splinters, loose moldings, and broken plaster.

(c) Overhead surfaces shall be free of water damage, loose, missing or broken tiles, plaster, lath, or loose hanging fixtures, pipes and electric wiring.

(d) All external windows designed to open shall be accessible, and operable.

(3) All housing facilities shall be kept free of offensive odors by adequate cleanliness and proper ventilation.

(4) All areas of the facility shall be well lighted. Dormitories, bedrooms, toilets, bathing rooms, shower rooms, and dayrooms shall have light fixtures that capable of providing at least 20 foot candles of illumination in all areas

of the room, measured at a distance 30 inches from the floor, to permit observation, cleaning and maintenance. Light fixtures shall be maintained to work as designed and kept clean.

(5) All areas of the facility occupied by residents, including sleeping rooms, common areas, hallways, bathrooms, and dining areas shall have natural or mechanical ventilation.

(a) If natural ventilation is utilized, the opened window area for ventilation purposes should be equal to one-tenth of the floor space.

(b) When mechanical ventilation systems are employed, the systems shall be maintained to operate as designed and kept clean. Intake air ducts shall be designed and installed so that dust or filters can be readily removed. In resident occupied areas mechanical ventilation systems shall provide a minimum of 10 cubic feet of fresh or filtered recirculated air per minute for each resident occupying the area.

(c) All toilet rooms shall be provided with direct openings to the outside or provided with mechanical ventilation to the outside.

(6) Adequate heating facilities shall be provided to maintain a minimum temperature of 68 degrees Fahrenheit, 20 inches above the floor in all resident occupied rooms.

(7) Mechanical cooling devices shall be ~~made available for~~ used and in working condition in those areas of buildings occupied by residents when inside temperatures exceed 85° degrees Fahrenheit. Exceptions are made when the resident is capable and in control of the thermostat or cooling devices in their personal area and chooses for it to exceed 85° Fahrenheit.

(8) All heating and cooling systems shall be consistent with current building and fire code rules applicable to the area where the facility is located, as determined by building and fire officials.

(9) All furniture and furnishings must be in good repair and kept clean.

(10) Plumbing shall be maintained in compliance with the requirements of the Florida Building State Plumbing Code first edition, including the 2002 Florida Code Inserts, Plumbing Volume May 2001, and Chapter 553.06, F.S.

(11) Sanitary facilities shall comply with the requirements of Chapter 64E-10, F.A.C.

(12) Sewage and liquid waste shall be disposed of in accordance with Chapter 62-601 or Chapter 64E-6, F.A.C., whichever is applicable.

Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New 6-18-87, Amended 8-7-96, Formerly 10D-23.009, Amended _____.

64E-12.006 ~~Vermin Insect and Rodent~~ Control.

Effective control measures shall be utilized to eliminate minimize the presence of rodents, flies, cockroaches and other vermin insects on the premises. The primary means of pest control shall be the use of Integrated Pest Management (IPM)

practices for the control of pests throughout a residential facility, as recognized by the United States Environmental Protection Agency. The creation, maintenance or causing of any condition capable of propagating insects, rodents, and other vermin will not be permitted. All buildings shall be effectively rodent-proofed, free of rodents and maintained in a rodent-proof and rodent-free condition. All exterior openings ~~outside openings~~ shall be effectively sealed or screened with 16 mesh screening or equivalent to prevent entry of insects or rodents, except in wilderness programs when mosquito netting is provided to each resident.

Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New 6-18-87, Amended 8-7-96, Formerly 10D-23.010, Amended _____.

64E-12.008 Laundry.

(1) Where laundry facilities are provided, they shall be adequate to ensure an ample quantity of clean clothing, bed linens and towels. Laundry facilities shall be of sound construction and shall be kept clean and in good repair. Adequate space shall be provided for the complete separation of clean and soiled clothing, linen and towels.

(2) Laundry rooms shall have fixtures that provide at least 30 foot-candles of illumination, kept clean and free of lint build-up, and be well lighted and properly ventilated as specified in the Florida Building Code first edition, including the 2002 Florida Code Inserts. Lighting will be measured 30 inches above the floor. Clothes dryers shall be vented to the exterior. Carts used for transporting dirty clothes, linens and towels shall not be used for transporting clean articles unless they carts have been thoroughly cleaned and sanitized.

Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New 6-18-87, Formerly 10D-23.012, Amended _____.

64E-12.009 Medications, Poisonous or Toxic Substances.

Medications, pPoisonous, or toxic compounds are to be stored apart from food and other areas that would constitute a hazard to the residents and containers are to be clearly labeled with a label indicating their contents.

(1) In facilities housing minors or those not capable of self-medication, medications shall be kept in a locked area such as a locked office, locked cabinet, or locked box at all times when not in use. This is in addition to a childproof medicine bottle cap or lid. Exceptions are extended to antibiotics requiring refrigeration equipped with a child proof cap or lid and medications such as insulin, nitro glycerin, or asthma inhalers that may be needed by the resident who is capable of self-medication in an emergency due to illness or disease.

(2) Medications that require refrigeration shall be stored in such a manner that they do not pose a contamination hazard to food.

Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New 6-18-87, Formerly 10D-23.013, Amended _____.

64E-12.011 Recreational Areas.

(1) No change.

(2) No change.

(3) If swimming pools, spas, or open water hazards are located available on ~~in~~ the property of a community based residential facility, the facility shall provide direct pools should be supervised by an adult when in used or when the area is occupied by children, minors and other residents in care that are not capable of self-preservation.

(a) Private single-family homes using a wading pool must empty the pool immediately after use and whenever the water becomes soiled during use.

(b) Access to open water hazards located on the property must be restricted by a barrier at least 4 feet in height. Access through the barrier shall be equipped with an audio-visual alarm, key lock, or self-locking doors. Facilities located in a deed restricted area or are part of a homeowners association which prevents the construction of a 4 foot high barrier, must provide such documentation and are required to install an audio visual alarm on all exterior doors exiting the facility. Existing facilities shall have until October 1, 2004, to comply with this requirement.

(c) All community based residential facilities with private swimming pools or a water hazard must have a person on staff who has completed a community water safety course administered by the American Red Cross or YMCA program. The adult responsible for supervision in subsection 64E-12.011(3), F.A.C., above must have successfully completed the community water safety course.

Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New 6-18-87, Amended 8-7-96, Formerly 10D-23.015, Amended _____.

64E-12.012 Radon Testing.

Radon Testing shall be conducted in accordance with requirements listed in Chapter 404 of the Florida Statutes (F.S.).

Specific Authority 404.056(4), (6) FS. Law Implemented 404.056(4) FS. History—New _____.

64E-12.013 Animal Health and Safety.

(1) Animals requiring rabies vaccination under Section 828.30, F.S., must be vaccinated for rabies and their vaccinations must be current at the time of inspection. Proof of Rabies vaccination or veterinary certification of vaccination exemption shall be kept on the premises at all times.

(2) All animals must be kept free from disease and in good health or under treatment by a licensed veterinarian.

(3) Aggressive, venomous, or potentially dangerous animals must be restricted from access by the residents at all times and kept in such a manner so as not to be able to become free roaming and cause or inflict harm to the residents, visitors, or employees. These animals may not be housed in the residents' sleeping quarters.

Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New _____.

64E-12.014 Inspection Forms.

The forms in this section are incorporated by reference.

DH Form 4029, 12/03, Residential Group Care Inspection Report. This form is not intended for public use.

Specific Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New _____.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Standards and Procedures for Licensure RULE NO.: 6E-2.004

PURPOSE AND EFFECT: The Commission proposes a rule amendment to address the deletion of unnecessary language.

SUMMARY: The proposed amendment deletes repetitive language in the student catalog that describes the institution’s policy regarding satisfying academic progress.

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

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

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.31(2), (3), 1005.34, 1005.39 FS.

LAW IMPLEMENTED: 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-2.004 Standards and Procedures for Licensure.

Each institution applying for a license or moving to a new level of licensure shall provide to the Commission the following specific information, in English. All information and documentation submitted pursuant to the provisions of these rules shall be accompanied by certification signed by the chief administrative officer of the institution, affirming that the information and documentation submitted is accurate. Any

application or review which is not substantially complete shall be returned to the institution with a request to complete and resubmit the material.

- (1) through (10) No change.
(11) Standard 11: Publications and Advertising.
(a) No change.
(b) Catalog.
1. No change.

2. Each institution shall publish and provide to each enrolled student a catalog. Written catalogs shall be professionally printed and bound. If electronic catalogs are also used, the two versions shall contain the same information, except for updates that may be provided more quickly in electronic versions. The catalog shall constitute a contractual obligation of the school to the student and shall be the official statement of the school's policies, programs, services, and charges and fees. The catalog shall include, at a minimum, the following information:

- a. through r. No change.
s. A complete explanation of the standards of satisfactory academic progress process. This policy shall include, at a minimum: Minimum grades and/or standards considered satisfactory; conditions for interruption due to unsatisfactory grades or progress; a description of the probationary period, if applicable; and conditions of re-entrance for those students suspended for unsatisfactory progress;
t. through y. No change.
z. A description of the institution’s policy regarding satisfying academic progress;
aa. through ee. renumbered z. through dd. No change.
3. No change.
(c) No change.

Specific Authority 1005.22(1)(e), 1005.31(2), (3), 1005.34, 1005.39 FS. Law Implemented 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS. History—Repromulgated 12-5-74, Formerly 6E-3.01(1), Readopted 11-11-75, Amended 3-7-77, 5-7-79, 10-13-83, Formerly 6E-2.04, Amended 11-27-88, 11-29-89, 12-10-90, 10-19-93, 4-2-96, 4-11-00, 1-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for Independent Education
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2004

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE: Florida Building Commission – Operational Procedures RULE CHAPTER NO.: 9B-3
RULE TITLE: RULE NO.:

State Building Code Adopted 9B-3.047

PURPOSE AND EFFECT: The proposed amendment of Rule 9B-3.047, F.A.C., is needed fulfill the Commission's obligation to update the Florida Building Code every three years. The initial edition of the code was adopted by the Commission in 2001. The adoption of the proposed amendment incorporates the International Building Code and International Residential Code, as well as updates the remainder of the subcodes which were already based upon the family of model codes promulgated by the International Code Council. The update additional incorporates previously adopted statewide amendments as determined by the Commission.

SUMMARY: The rule as amended will establish the 2004 edition of the Florida Building Code, which incorporates the 2003 International Building Code, the 2003 International Residential Code, the 2003 International Plumbing Code, and the 2003 International Fuel Gas Code. Previously approved amendments to the Florida Building Code have been integrated with the model codes and additional modifications have been made to assure consistency with the Florida Fire Prevention Code. Materials containing the resulting text of the Florida Code are available at www.floridabuilding.org.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 553.73 (1), (2), (7) FS.

LAW IMPLEMENTED: 553.72, 553.73 (2), (3), (7), (9) FS.

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

TIME AND DATE: 10:00 a.m., April 20, 2004

PLACE: Rosen Center Hotel, 9840 International Drive, Orlando, Florida 32819

Any person requiring special accommodations at the workshop because of a disability of physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824 at least seven days prior to the date of the workshop using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-3.047 State Building Code Adopted.

(1) The Florida Building Code as updated ~~revised~~ by the Florida Building Commission on _____ ~~June 30, 2003~~, is hereby adopted as the Florida Building Code, 2004 edition, and incorporated by reference as the building code for the State of Florida.

(2) No change.

Specific Authority 553.73(1), (2), (7) FS. Law Implemented 553.72, 553.73(2), (3), (7), (9) FS. History--New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, 6-30-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Janice Browning, Director, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 16, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2004

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

RULE TITLE: Reimbursement Premium Formula RULE NO.: 19-8.028

PURPOSE AND EFFECT: This rule is promulgated to implement Section 215.555, Florida Statutes, regarding the Florida Hurricane Catastrophe Fund, for the 2004-2005 contract year.

SUMMARY: Proposed amended Rule 19-8.028, F.A.C., establishes the premium formula and adopts the rates for the 2004-2005 contract year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board has prepared a statement and found the cost to be minimal.

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

SPECIFIC AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7) FS.

REGARDLESS OF WHETHER OR NOT REQUESTED, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m. to Noon, Eastern Daylight Time, Tuesday, May 18, 2004

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend this meeting is asked to call Patti Elsbernd, (850)413-1346, five (5) days prior to the meeting so that appropriate arrangements can be made.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack E. Nicholson, Senior FHCF Officer of the Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1340

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.028 Reimbursement Premium Formula.

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

(b) Board or SBA means the ~~Florida~~ State Board of Administration of Florida.

(c) Citizens Property Insurance Corporation (Citizens) means the entity formed under Section 627.351, Florida Statutes and refers to both Citizens Property Insurance Corporation High Risk Account (~~formerly the Florida Windstorm Underwriting Association~~) and Citizens Property Insurance Corporation Personal Lines and Commercial Lines Accounts (~~formerly the Florida Residential Property and Casualty Joint Underwriting Association~~).

(d) through (j) No change.

(k) New Participants. The term means all Companies which are granted a certificate of authority by the Department of Financial Services after the beginning of the FHCF's Contract Year on June 1 and which write Covered Policies, or which already have a certificate of authority and begin writing Covered Policies on or after the beginning of the FHCF's Contract Year on June 1 and did not or was not required to enter into a contract on June 1 of the Contract Year. A Company that enters into an ~~pursuant to an~~ assumption agreement with Citizens that includes Covered Policies and is effective after June 1 and had written no other Covered Policies on or before June 1 is also considered a New Participant.

(l) through (n) No change.

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

(g) For the 2004-2005 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2004 Ratemaking Formula Report to the State Board of Administration of Florida, March , 2004" is hereby adopted and incorporated by reference.

The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 13, 2004, are hereby adopted and incorporated by reference in Form FHCF-Rates 2004, "Florida Hurricane Catastrophe Fund Proposed 2004 Rates, March , 2004.

(4)(a) Special Circumstances.

1. Allocation of Premium. Premiums paid to the FHCF with reference to property covered by Quota Share Primary Insurance Arrangements, as that phrase is defined in Section 627.351(6)(c)2.a.(I), Florida Statutes, will be allocated by the FHCF between the Insurer and Citizens in accordance with the percentages specified in the Quota Share Primary Insurance Arrangement for the purposes of premium billing, calculating retentions and determining reimbursement payments.

2. Section II Exposure. The Premium Formula for Section II exposure will be based on the use of computer modeling for each individual Company for which it is applicable. Because of the difference in potential loss exposure between Section I and Section II, it is not equitable to apply FHCF rates developed for Section I exposures to Section II exposures. Therefore, the Independent Consultant will recommend guidelines for individual company Section II portfolio modeling to estimate individual company FHCF expected losses. Individual company FHCF expected losses for Section II exposures will be loaded for investments and expenses on the same basis as the FHCF premium rates used for Section I exposures, but will also include a loading for the additional cost of individual company modeling. The minimum exposure threshold for FHCF Section II rating will be sufficient to generate estimated FHCF premium greater than the cost of modeling and other considerations. The Independent Consultant will calculate the minimum threshold of Section II exposure required for the separate coverage levels of 45%, 75%, and 90% using the Section I rates established pursuant to subsection (3) herein. The methodology used by the Independent Consultant will be based on sound actuarial principles to establish greater actuarial equity in the premium structure. Companies with exposure meeting the definition of Section II, shall report the said exposure under Section II using Section II reporting specifications.

(b) through (c) No change.

(d) Specialized Fine Arts Risks. Any policy or endorsement exclusively covering Specialized Fine Arts Risks and not covering any residential structure ~~and~~ or contents thereof other than such specialized fine arts items covered in the fine arts policy, shall be exempt from the Fund as a risk meeting specialized loss control requirements if the insurer employs underwriting criteria and requires its policyholders to adhere to sub-subparagraphs 1. through 7., immediately below. For purposes of the exemption in this paragraph, a Specialized Fine Arts Risk is a policy or endorsement which insures paintings, works on paper, etchings, art glass windows, pictures, statuary, sculptures, tapestries, antique furniture,

antique silver, antique rugs, rare books, and other bona fide works of art, of rarity, of historic value, or artistic merit; which charges a minimum Premium of \$500; which insures scheduled items valued, in the aggregate, at no less than \$100,000; and which requires an investment by the insured in loss control measures to protect the Fine Arts Risks being insured.

1. through 7. No change.

(5) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Strategic Solutions, Inc., Reinsurance Risk Management Services, Inc., 3600 American Boulevard West 80th Street, Minneapolis, Minnesota 55431.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History--New 9-20-99, Amended 7-3-00, 9-17-01, 7-17-02, 7-2-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, Senior FHCF Officer, Florida Hurricane Catastrophe Fund, State Board of Administration of Florida
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2003, Vol. 29, No 51

DEPARTMENT OF CORRECTIONS

RULE TITLE: Placement of Inmates into Community Release Programs
RULE NO.: 33-601.606

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise and clarify definitions and eligibility criteria for community release programs.

SUMMARY: The proposed rule revises the time periods during which an inmate is eligible for community release programs, clarifies application of eligibility requirements for inmates with non-advanceable release dates, provides definitions for "community work release" and "non-advanceable release date," and revises the definition of institutional classification team to provide for inclusion of correctional officer lieutenants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 945.091 FS.

LAW IMPLEMENTED: 945.091 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.606 Placement of Inmates into Community Release Programs.

(1) Definitions.

(a) No change.

(b) Community Work Release (CWR) refers to the community residential program for incarcerated inmates, which allows them to work at paid employment in the community while continuing as inmates of the facility where they are confined.

(c)(b) Institutional Classification Team (ICT) refers to the a team at the institutional level consisting of the warden or assistant warden, classification supervisor a correctional officer chief, and other members as necessary when appointed by the warden or designated by rule. The ICT is and of security who are responsible for making work, program, housing, and inmate status decisions at a facility and for making other recommendations to the state classification office.

(d)(e) No change.

(d) Work Release refers to the community residential program for incarcerated inmates, which allows them to work at paid employment in the community while continuing as inmates of the facility where they are confined.

(e) Non-advanceable date refers to an inmate's release date that is restricted from continuous, monthly gain time awards (that reduce an inmate's release date) over the entire length of the sentence, including: tentative release date based upon offenses occurring on or after October 1, 1995; presumptive parole release date (PPRD); 100% minimum service requirements such as Prison Releasee Re-Offender Act or Three-time Violent Offender cases.

(2) Eligibility and Ineligibility Criteria.

(a) No change.

(b) In order to be eligible for community release programs an inmate must:

1. through 3. No change.

4. Inmates with non-advanceable dates must bBe within 18 months of his earliest release date if the inmate is earning discretionary gain time, or be within 15 12 months of their tentative release date or presumptive parole his earliest non-advanceable release date for CWA, community-based residential substance abuse program, or pre-work release program or within 10 months of their earliest tentative release date for CWR.

5. ~~Inmates without non-advanceable dates must be within 21 months of their tentative release date for CWA, community-based residential substance abuse program, or pre-work release program or within 15 months of their tentative release date for CWR. Be within 12 months of his earliest release date if the inmate is earning discretionary gain time or be within 7 months of his earliest non-advanceable release date for work release.~~

6. The Secretary of the Florida Department of Corrections, or his designee who shall be the Assistant Secretary for Director of Institutions, shall have the authority to place an inmate who is in community custody at any work release center regardless of time constraints for the purpose of a specialized work detail.

(3) through (5) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 3-14-01, Amended 9-2-01, 3-19-02, 11-18-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jerry Hewett

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 11, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 29, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations
RULE CHAPTER NO.: 60A-1

RULE TITLES: Vendors and Contractors
RULE NOS.: 60A-1.006

MyFloridaMarketPlace Vendor Registration
60A-1.030

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend the rules relating to MyFloridaMarketPlace, the state-wide program for on-line procurement of commodities and contractual services.

SUMMARY: The rules, as amended, require vendors to register in MyFloridaMarketPlace unless exempted and indicates that vendors are prequalified to sell commodities and contractual services to the State. The rule also amends the qualifying language for exemptions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 120.57(3)(d), 287.042, 287.057(23) FS.

LAW IMPLEMENTED: 120.57(3), 287.017, 287.032, 287.042, 287.057, 287.133 FS.

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

TIME AND DATE: 1:00 p.m., Monday, April 19, 2004
PLACE: Room 260L, 4050 Esplanade Way, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lois Tepper, Office of the General Counsel, Department of Management Services, Suite 260, 4050 Esplanade Way, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

60A-1.006 Vendors and Contractors.

~~(1) Registration of all Vendors Doing Business with the State All vendors desiring to sell to the State commodities or contractual services as defined in Section 287.012, F.S., shall register in MyFloridaMarketPlace, the State e-procurement system, in compliance with Rule 60A-1.030, F.A.C. The integrity, reliability, and qualifications of a bidder offeror, with regard to the capability in all respects to perform fully the contract requirements, shall be determined by the agency prior to the award of the contract.~~

(2) through (6) No change.

Specific Authority 120.57(3)(d), 287.042, 287.057(23)(d) FS. Law Implemented 120.57(3), 287.042, 287.017, 287.057, 287.133 FS. History--New 5-20-64, Revised 2-6-68, 5-20-71, Amended 7-31-75, 10-1-78, 12-11-79, 2-26-80, 8-6-81, 10-11-81, 11-10-81, 2-11-82, 8-10-82, 10-13-83, 11-12-84, 12-17-85, Formerly 13A-1.06, Amended 2-9-87, 11-3-88, 1-18-90, 4-1-91, 9-1-92, Formerly 13A-1.006, Amended 4-24-94, 1-9-95, 7-6-98, 1-2-00, 7-1-03,_____.

60A-1.030 MyFloridaMarketPlace Vendor Registration.

(1) Each vendor desiring to sell ~~doing business with the State for the sale of~~ commodities or contractual services as defined in Section 287.012, F.S., to the State through the on-line procurement system is prequalified to do so and shall register in the MyFloridaMarketPlace system, unless exempted under subsection 60A-1.030(3), F.A.C. Information about the registration process is available, and registration may be completed, at the MyFloridaMarketPlace website (link under Business on the State portal at www.myflorida.com). Interested persons lacking Internet access may request assistance from the MyFloridaMarketPlace Customer Service (866)FLA-EPRO (866)352-3776 or from State Purchasing, 4050 Esplanade Drive, Suite 300, Tallahassee, Florida 32399.

(2) No change.

(3) Notwithstanding subsections (1) and (2), an agency may enter into an agreement for the sale of commodities or contractual services as defined in Section 287.012, F.S., with an unregistered vendor when if, and only if, one or more of the following conditions is satisfied:

(4) through (5) No change.

Specific Authority 287.042(12), 287.057(23) FS. Law Implemented 287.032, 287.042, 287.057 FS. History--New 7-1-03, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Alberto Dominguez, General Counsel, Department of
 Management Services
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Robert Hosay, Deputy Secretary,
 Department of Management Services
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: February 16, 2004
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: February 27, 2004

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Conduct of Employees	60L-36
RULE TITLE:	RULE NO.:
Political Activities	60L-36.002

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend subsection (3)(c) of Rule 60L-36.002, F.A.C., implementing the statute that relates to political activities by career service employees.

SUMMARY: The proposed rule includes soliciting or accepting campaign contributions from persons or entities that are regulated by, or do business with, an employee's department or agency as an activity presumed to interfere with the employee's state employment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 110.1055, 110.201(1), 110.233(4) FS.

LAW IMPLEMENTED: 110.233(4)(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: 10:00 a.m., Monday, April 19, 2004
 PLACE: Room 260L, 4050 Esplanade Way, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lois Tepper, Office of the General Counsel, Department of Management Services, Suite 260, 4050 Esplanade Way, Tallahassee, Florida 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 60L-36.002 Political Activities.
- (1) through (2) No change.

(3) Candidacy for or holding local public office shall be presumed to involve activities that interfere with an employee's state employment in the following instances:

(a) Campaign or, if elected, office activities are performed during the employee's assigned working hours with the state.

(b) Campaign or, if elected, office activities will involve the use of state space, personnel, time, equipment, or supplies.

(c) The employee solicits or accepts campaign contributions from ~~for~~ persons or entities that are regulated by, or otherwise do business with, the employee's department or agency.

Specific Authority 110.1055, 110.20(1), 110.233(4) FS. Law Implemented 110.233(4)(a) FS. History--New 1-22-02, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Alberto Dominguez, General Counsel, Department of
 Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Robert Hosay, Deputy Secretary,
 Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: February 16, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: February 27, 2004

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

RULE TITLE:	RULE NO.:
Disbursement of Examination Fees	61-20.504

PURPOSE AND EFFECT: The Council proposes to reflect a change of disbursement of examination fees based on a change in the cost to the applicant of the professional testing service and permit the Department to collect more of its costs.

SUMMARY: The disbursement of examination fees.

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: 468.4315, 943.053 FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Malone, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61-20.504 Fees.

The following fees are adopted by the Council:

(1) through (2) No change.

(3) Examination fee: When the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$100.00 payable to the Department. When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, ~~\$73.00~~ ~~\$61.00~~ payable to the Department plus ~~\$27.00~~ ~~\$39.00~~ payable to the testing service.

(4) Re-examination fee: When the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, \$100.00 payable to the Department. When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, ~~\$73.00~~ ~~\$61.00~~ payable to the Department. ~~\$27.00~~ ~~\$39.00~~ payable to the testing service.

(5) through (16) No change.

Specific Authority 468.4315, 943.053 FS. Law Implemented 455.2171,455.219(3), (6) 455.2281, 455.271, 468.4315(2), 468.433, 468.435, 943.053 FS. History--New 5-4-97, Amended 5-10-98, 9-9-98, 2-11-99, 3-13-00, 11-2-00, 1-3-01, 7-15-02, 12-14-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julie Malone, Executive Director, Regulatory Council of Community Association Managers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 6, 2004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE TITLES: RULE NOS.:

Permitted Medications for Racing Greyhounds 61D-6.007

Permitted Medications for Horses 61D-6.008

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to the adoption of medication levels for caffeine based upon the receipt of a finalized study by the University of Florida pursuant to the Pharmacokinetic and Clearance Study Agreement referenced in Section 550.2415(16), Florida Statutes.

SUMMARY: These rules adopt permissible levels for caffeine and its primary metabolites in urine samples collected from horses and greyhounds participating in pari-mutuel wagering racing events in this state.

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

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

SPECIFIC AUTHORITY: 550.2415(13), (16) FS.

LAW IMPLEMENTED 550.2415 FS.

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

TIME AND DATE: 10:00 a.m. – Noon, April 27, 2004

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 5 calendar days before the hearing by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

Written comments or suggestions on the proposed rule may be submitted to Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1035, within 21 days of this notice for inclusion in the record of this proceeding.

THE FULL TEXT OF THE PROPOSED RULES IS:

61D-6.007 Permitted Medications for Racing Greyhounds. The following medications are permitted to be administered to racing greyhounds in the dosages and under the conditions listed below:

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

(3) The detection of caffeine at a urinary concentration less than 200 nanograms per milliliter and/or its metabolites, theophylline and theobromine at a urinary concentration less than 400 nanograms per milliliter shall not be reported by the racing laboratory to the division as a violation of Section 550.2415, Florida Statutes.

~~(4)(3)~~ All prescription medication, regardless of method of administration, shall be safeguarded under lock and key when not being actively administered.

Specific Authority 120.80(4)(a), 550.0251(3), (11), 550.2415(13), (16) FS. Law Implemented 120.80(4)(a), 550.0251, 550.2415 FS. History–New 10-20-96, Amended 6-6-00,_____.

61D-6.008 Permitted Medications for Horses.

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

(5) The detection of caffeine at a urinary concentration less than 200 nanograms per milliliter and/or its metabolites, theophylline and theobromine at a urinary concentration less than 400 nanograms per milliliter shall not be reported by the racing laboratory to the division as a violation of Section 550.2415, Florida Statutes.

~~(6)(5)~~ Sulfa drug(s) is/are permitted to be administered to a race horse providing:

(a) through (c) No change.

~~(7)(6)~~ All prescription medication, regardless of method of administration, shall be safeguarded under lock and key when not being actively administered.

Specific Authority 120.80(4)(a), 550.0251(3), 550.2415(8), (9), (13), (16) FS. Law Implemented 120.80(4)(a), 550.0251, 550.2415 FS. History–New 10-20-96, Amended 1-5-98, 6-6-00, 5-14-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David J. Roberts, Director, Division of Pari-Mutuel Wagering
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Diane Carr, Secretary, Department of Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

CHAPTER TITLE:	CHAPTER NO.:
Rules of Horseracing	61D-13
RULE TITLES:	RULE NOS.:
General Rules	61D-13.001
Stewards	61D-13.002
Jockeys and Drivers	61D-13.003
Maintaining a Straight Course	61D-13.004
Disqualification	61D-13.005
Use of Whips	61D-13.006

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement rules of horseracing. Some rules are generally applicable to all horse racing authorized in this state. Some rules are specific to thoroughbred or harness horseracing. The rules will govern certain infractions that occur during a race and in the stabling areas of a track. The rules also clarify the authority of the stewards or judges at a pari-mutuel facility.

SUMMARY: The rules address the following subject matter areas:

1 – General rules that govern conduct of persons at all horse tracks. These rules address safety concerns for racing animals and participants and are generally applicable to all types of horseracing being conducted in the state.

2 – Stewards rules to clarify the authority of the stewards or judges at a pari-mutuel facility are generally applicable to all types of horseracing being conducted in the state.

3 – Jockeys and drivers rules specifically address the conduct of jockeys and drivers participating in horseracing in this state.

4 – Rules of racing are provided to require participants to maintain a straight course.

5 – Rules of racing are provided to specify when a participant will be disqualified.

6 – Rules are provided specifying appropriate and inappropriate use of a whip.

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

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

SPECIFIC AUTHORITY: 120.80(4)(a), 550.0251(3), (11), 550.1155 FS.

LAW IMPLEMENTED 120.80(4)(a), 550.0251, 550.1155 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m. – Noon, April 27, 2004

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 5 calendar days before the hearing by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

Written comments or suggestions on the proposed rule may be submitted to Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, Department of Business and Professional

Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1035, within 21 days of this notice for inclusion in the record of this proceeding.

THE FULL TEXT OF THE PROPOSED RULES IS:

61D-13.001 General Rules.

(1) These rules apply to every permitholder and licensee participating in horseracing in Florida. Distances and other special conditions not provided herein shall be governed by the rules of the appropriate horse breeding and registry association.

(2) Prior to the beginning of the meet, permitholder management shall notify the division of the post time of the first race of each performance of the meet.

(3) Racing permitholders shall at all times maintain their track surfaces in good condition and shall have proper implements to maintain a uniform track, weather conditions permitting.

(4) All persons who exercise, breeze, or race horses on the track surface shall wear a protective helmet and vest.

(5) It shall be a violation of these rules for any person to:

(a) Leave unattended any needle or syringe in a stall, horse barn, or any part of a permitholder's facility used for the stabling of horses, excluding receptacles designated for the permanent disposal of needles and syringes.

(b) Smoke in horse stalls, feed rooms, and under the sheds.

(c) Sleep in any of the feed rooms or stalls at any time.

(d) Lock stalls occupied by horses.

(e) Permit open fires anywhere in the stable area, or to use any oil or gas burning lanterns or lamps.

(f) Possess electrical appliances that are not in safe working condition to be used in the stable area.

(g) Permit the accumulation of debris in the alleyway in front of the stalls and blockage of the alleyway that would prevent easy access to each stall door in case of fire.

Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History--New _____.

61D-13.002 Stewards.

(1) The stewards shall be strictly responsible for the conduct of all race meets pertaining to the laws and rules of the division relating to racing.

(2) The stewards shall supervise the conduct of owners, trainers, jockeys, grooms, and other persons attending horses; they shall generally supervise all activity on the backside.

(3) Disputes which may not be covered by these rules of racing will be resolved by the stewards in conformance with generally accepted standards and in the best interest of racing.

(4) No racing official other than the stewards shall have the right to impose a fine or suspension of license for a violation of state laws or rules.

(5) The stewards shall, within 72 hours after the close of each racing day, file with the division, a signed report of any and all infractions of the laws and rules coming under their observation, and shall file with the division any and all rulings on infractions or otherwise as soon as said rulings are made.

Specific Authority 120.80(4)(a), 550.0251(3), (11), 550.1155 FS. Law Implemented 120.80(4)(a), 550.0251, 550.1155 FS. History--New _____.

61D-13.003 Jockeys and Drivers.

(1) Each jockey must obtain an occupational license from the division.

(2) All jockeys shall faithfully fulfill all engagements in respect to racing.

(3) No jockey or driver shall make a bet on any race nor accept the promise or the token of any bet, with respect to the race in which the jockey or driver is participating, except through or from the owner or trainer of the horse the jockey rides or driver drives, and then only on that horse to win or place first in any multiple horse type wager.

(4) A jockey or driver under temporary suspension shall not ride or drive in a race during the period of the suspension except that the jockey or driver may fulfill any designated stake race engagements on file with the stewards at the beginning of the meet.

(5) The use of spurs by a jockey is prohibited.

(6) Jockeys and drivers shall keep their feet in the stirrups at all times during the race.

Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History--New _____.

61D-13.004 Maintaining A Straight Course.

(1) If the stewards determine that a racing infraction was intentional, or due to careless riding or driving, the jockey or driver may be held responsible.

(2) When the way is clear in a race, a horse may be ridden or driven to any part of the course, but if any horse swerves, or is ridden to either side so as to interfere with, impede, or intimidate any other horse, it is a racing infraction.

(3) The offending horse may be disqualified if, in the opinion of the stewards, the racing infraction altered the outcome of the race, regardless of whether the infraction was accidental, willful, or the result of careless riding.

(4) A horse crossing another horse so as actually to impede that horse shall be disqualified, unless the impeded horse was partly in fault or the crossing was wholly caused by the fault of some other horse or jockey or driver.

(5) If a horse or jockey or driver jostles another horse, the aggressor may be disqualified, unless the jostle was wholly caused by the fault of some other horse or jockey or driver.

(6) If a jockey or driver willfully strikes another horse or jockey or driver, or rides willfully or carelessly so as to injure another horse which is in no way in fault, or so as to cause other horses to do so, his horse is disqualified.

(7) When a horse is disqualified under the rules, the other horse or horses in the same race coupled as an entry may be disqualified.

(8) Complaints under this rule can only be received from the owner, trainer, or jockey or driver of the horse alleged to be aggrieved and must be made to the Clerk of Scales or to the stewards prior to the race being made official. Nothing in this section shall prevent the stewards taking notice on their own recognizance of foul riding or driving.

(9) Any jockey or driver against whom a foul is claimed shall be given the opportunity to present his case to the stewards before any decision is made by them.

(10) A jockey or driver whose horse has been disqualified or who unnecessarily causes his horse to shorten its stride with a view to complain or so as to give the appearance of having suffered a racing infraction, or an owner, trainer, jockey or driver who complains frivolously that his horse has been crossed or jostled, may be fined or suspended.

(11) All horses, jockeys and drivers are expected to give their best effort to win all races in which they participate, and any instructions or advice to the jockeys or drivers, or any handling of their horses by the jockeys or drivers other than for the purpose of winning are forbidden. All persons violating this rule will be subject to fines or license suspension, or both, by the stewards.

(12) The decision of the stewards as to the extent of a disqualification of any horse in any race shall be final.

Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History--New

61D-13.005 Disqualification.

(1) When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horses, as in their judgment, it interfered with, or they may place it last.

(2) Possession of any electrical or mechanical stimulating or shocking device by a jockey, driver, horse owner, trainer, or other person authorized to handle or attend to a horse, shall be prima facia evidence of these rules and is sufficient grounds for the stewards to scratch or disqualify the horse and impose penalties upon the possessors of such devices.

(3) The stewards may determine that a horse shall be unplaced for the purpose of purse distribution.

Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History--New

61D-13.006 Use of Whips.

(1) Although the use of a whip is optional, any jockey or driver who uses a whip during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

(2) In all races where a jockey or driver participates without a whip, an announcement of such fact shall be made over the public address system.

(3) Prohibited use of the whip includes whipping a horse:

(a) On the head, flanks, or on any part of the horse's body other than the shoulders or hind quarters.

(b) During the post parade or after the finish of the race.

(c) Excessively or brutally causing welts or breaks in the horse's skin.

(d) When the horse is clearly out of the race or has obtained its maximum placing.

(f) Persistently, even though the horse is showing no response under the whip.

(g) Striking another horse, jockey or driver.

Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: David J. Roberts, Director, Division of Pari-Mutuel Wagering
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Diane Carr, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2004

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 Acupuncture

RULE TITLE: Continuing Education Requirement
RULE NO.: 64B1-7.0015

PURPOSE AND EFFECT: The Board proposes to suspend, for the current biennium, all continuing education requirements not specifically required by statute for licensure renewal. The suspension is imposed because the Board does not have the ability to require approval of continuing education course criteria for programs prior to programs being offered to chapter 457 licensees. The Board will seek to regain this authority through legislation.

SUMMARY: The rule suspends the acupuncture licensure renewal continuing education requirements for the current biennium, for all continuing education not specifically required by statute.

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

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

SPECIFIC AUTHORITY: 456.013, 456.033, 457.104, 457.107, 457.108, 457.1085 FS.

LAW IMPLEMENTED: 456.013, 456.033, 457.107, 457.108, 457.1085, 5457.109 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-7.0015 Continuing Education Requirement.

(1) through (6) No change.

(7) Other provisions of a rule of the Board notwithstanding, effective for the biennium beginning March 1, 2004, and ending February 28, 2006, all non-statutory continuing education licensure renewal requirements imposed by Board rule are suspended. No continuing education credits will be required for renewal of licensure at the February 28, 2006 renewal date except for the medical errors and HIV/palliative care requirements imposed by Sections 456.013(7) and 456.033, F.S. respectively.

Specific Authority 456.013, 456.033, 457.104, 457.107, 457.108, 457.1085 FS. Law Implemented 456.013, 456.033, 457.107, 457.108, 457.1085, 5457.109 FS. History--New 3-18-97, Formerly 59M-7.0015, Amended 4-25-00, 4-3-01, 11-24-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Applications

RULE NO.: 64B8-4.009

PURPOSE AND EFFECT: The proposed rule amendment is intended to address continuing medical education for the purpose of initial licensure relating to the five most misdiagnosed conditions.

SUMMARY: The proposed rule amendment sets forth continuing education for the purpose of initial licensure with regard to the five most misdiagnosed conditions.

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

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

SPECIFIC AUTHORITY: 120.53, 456.031, 456.033, 458.309, 458.311, 458.3137 FS.

LAW IMPLEMENTED: 120.53, 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.009 Applications.

(1) through (7) No change.

(8) The applicant must submit statements attesting to the following:

(a) through (b) No change.

(c) Completion of two hours of continuing medical education relating to prevention of medical errors which includes a study of root cause analysis, error reduction and prevention, and patient safety, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. One hour of a two hour course which is provided by a facility licensed pursuant to Chapter 395, F.S., for its employees may be used to partially meet this requirement. The course must include information relating to the five most mis-diagnosed conditions during the previous biennium, as determined by the Board. The following areas have been determined as the five most mis-diagnosed conditions: wrong-site/patient surgery; cancer; cardiac; timely diagnosis of surgical complications and failing to diagnose pre-existing conditions prior to prescribing contraindicated medications.

(9) through (10) No change.

Specific Authority 120.53, 456.031, 456.033, 458.309, 458.311, 458.3137 FS. Law Implemented 120.53, 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS. History--New 3-31-80, Amended 12-4-85, Formerly 21M-22.09, Amended 9-7-88, 3-13-89, 1-1-92, 2-21-93, Formerly 21M-22.009, Amended 11-4-93, Formerly 61F6-22.009, Amended 11-15-94, 2-15-96, Formerly 59R-4.009, Amended 7-10-01, 1-31-02,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2004

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Continuing Education for Biennial Renewal
 RULE NO.: 64B8-13.005

PURPOSE AND EFFECT: The proposed rule amendment is intended to address continuing medical education for the purpose of licensure renewal relating to the five most misdiagnosed conditions.

SUMMARY: The proposed rule amendment sets forth continuing education for the purpose of licensure renewal with regard to the five most misdiagnosed conditions.

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

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

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-13.005 Continuing Education for Biennial Renewal.

(1) Every physician licensed pursuant to Chapter 458, F.S., shall be required to complete 40 hours of continuing medical education courses approved by the Board in the 24 months preceding each biennial renewal period as established by the Department.

(a) through (d) No change.

(e) Completion of two hours of continuing medical education relating to prevention of medical errors which includes a study of root cause analysis, error reduction and prevention, and patient safety, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. One hour of a two hour course which is provided by a facility licensed pursuant to Chapter 395, F.S., for its employees may

be used to partially meet this requirement. The course must include information relating to the five most mis-diagnosed conditions during the previous biennium, as determined by the Board. The following areas have been determined as the five most mis-diagnosed conditions: wrong-site/patient surgery; cancer; cardiac; timely diagnosis of surgical complications and failing to diagnose pre-existing conditions prior to prescribing contraindicated medications.

(2) through (11) No change.

Specific Authority 456.013(6), (7), 456.031(4), 458.309, 458.319 FS. Law Implemented 456.013(6), (7), 456.031(1)(a), (3), 458.319(4) FS. History—New 9-7-86, Amended 11-17-87, 11-15-88, 1-31-90, 9-15-92, Formerly 21M-28.002, Amended 12-5-93, Formerly 61F6-28.002, Amended 3-1-95, 1-3-96, 1-26-97, Formerly 59R-13.005, Amended 5-18-99, 2-7-01, 6-4-02, 10-8-03.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2004

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE TITLE: Examination
 RULE NO.: 64B20-2.005

PURPOSE AND EFFECT: The Board proposes to clarify and update the name of the organization administering the national examination required for licensure by examination, for speech-language pathologists and audiologists, as well as clarify the process for registering to take the exam.

SUMMARY: The proposed rule updates and clarifies the name of the national examination testing organization as well as clarifying the name of the organization to whom applications to take the exam should be sent.

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: 468.1135(4) FS.

LAW IMPLEMENTED: 456.017(1)(c), 468.1175 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE ISSUE OF THE F.A.W.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-2.005 Examination.

(1) The Board hereby designates the Educational Testing Service PRAXIS Series ~~American Speech-Language-Hearing Association approved National Examination~~ in Speech-Language Pathology or Audiology as the licensure examination.

(2) Any person desiring to be licensed as a speech-language pathologist or audiologist shall apply directly to the Educational Testing Service, Praxis Series, Princeton, New Jersey, to take the licensure examination.

(3) No change.

Specific Authority 468.1135(4) FS. Law Implemented 456.017(1)(c), 468.1175 FS. History--New 3-14-91, Formerly 21LL-2.005, Amended 11-30-93, Formerly 61F14-2.005, Amended 9-26-95, Formerly 59BB-2.005, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech-Language Pathology and Audiology
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 2004

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE NOS.:	RULE TITLES:
5I-4.002	Purpose and Definitions
5I-4.003	Vehicular, Animal and Pedestrian Control
5I-4.005	Protection of Managed Lands
5I-4.006	Recreational Activities and Facilities
5I-4.008	Vendors; Authorization; Fees

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. 34, August 22, 2003, issue of the Florida Administrative Weekly.

TEXT OF PROPOSED RULE CHANGES:

5I-4.002 Purpose and Definitions.

The purpose of this chapter is to provide information regarding the utilization of lands and facilities managed or controlled by the Department of Agriculture and Consumer Services, Division of Forestry. The following words have the meaning indicated:

(10) GROUP CAMP: A designated primitive camping area designed to accommodate organized groups for overnight visits. Authorization will be given absent a determination that the proposed use will adversely affect managed lands. Group camp area use requires a State Forest Use Permit.

(27) SCHEDULE OF FEES: The Division is authorized under Section 589.011(3), F.S., to set and charge fees for the use or operation of facilities on state forest or any lands leased to the Division for management purposes. A schedule of current fees effective July 1, 2003 can be obtained through any local Division of Forestry office, by contacting the Florida Division of Forestry, Bureau of Forest Management, 3125 Conner Blvd., Tallahassee, FL 32399-1650 and they are located on the Division of Forestry's website located at http://www.fl-dof.com/state_forests/Forest_Fees.html.

5I-4.003 Vehicular, Animal and Pedestrian Control.

(11) No person shall bring horses or horse trailers into camping facilities, except upon showing that special request has been made to, and permission granted by the Division. The Division ~~will~~ ~~may~~ grant permission upon a determination that there is no threat to public safety, or to the condition of the camping facilities and that the horses and horse trailers do not constitute a nuisance.

(12) No person shall ride or lead horses off designated horse trails or field trial runs, except upon showing that special request has been made to, and permission granted by, the Division. The Division ~~will~~ ~~may~~ grant permission upon a determination that there is no threat to public safety or to the condition of these particular areas and those acts do not constitute a nuisance.

(17) The Division ~~will~~ ~~may~~ temporarily or permanently close any road, trail, facility, or area, or restrict the use thereof upon determination that there is a danger to the health, safety and welfare of any person; potential damage to the resources; or when it is determined necessary in the proper management of the forest.

5I-4.005 Protection of Managed Lands.

No person shall:

(2) ~~Enter~~ ~~No person may~~ any managed lands for the purpose of using the resources or facilities therein without paying the appropriate fee, where applicable.

(10) Pick up or remove dead wood from managed lands ~~without a permit~~, except for collecting firewood to be burned in a designated area in a campground or camp zone.

(12) Remove any plant life from any managed lands except for educational or research purposes, and only after notification to the Division without a permit.

(16) Operate a commercial enterprise on managed lands, except in limited circumstances where such enterprise provides a compatible service to forest visitors participating in recreation, and only after notification to the Division, and payment of the applicable fee in accordance with subsection 5I-4.002(27), F.A.C. without obtaining written authorization and paying the required fee(s).

(20) Leave any item, including but not limited to tents, trailers, vehicles, motorcycles, or other items, in a campsite unattended before or after the registered camping dates on a Division of Forestry Registration/Receipt, self-service pay envelope, or state forest authorization received from the Division of Forestry field unit. Unattended items found in an unregistered campsite shall be duly posted to be removed within 48 hours with the owner paying the scheduled fee for each night the item(s) remained at the site. In addition, after the item(s) have been duly posted for removal within 48 hours, such item(s) will may be removed at the last known owner's expense.

(21) Any lost or abandoned property on managed lands will be disposed of in accordance with Chapter 705, F.S.

5I-4.006 Recreational Activities and Facilities.

(4) Camping and Day-Use:

(1) No person shall remain in any day-use facility after its designated closing time unless prior notification has been provided to the Division, except with a State Forest Use Permit.

(o) Organized groups must notify the Division, request reservations from the Division, and have written authorization from the Division to use managed lands. Authorization will be given absent a determination that the proposed use will adversely affect managed lands.

(5) Hunt Camps:

(c) Temporary structures may be erected in hunt camps on managed lands. Any such structure must be removed no later than six days after the end of the hunting season for which the hunt campsite authorization is issued. Persons that do not remove camping equipment, trailers or temporary structures by this ending date will may be charged the current primitive camp site rate per day until its removal.

(f) Hunt camp permits shall be issued on a renewal basis, first come, first serve basis or through a lottery system depending upon the best resource management technique for each state forest that provides hunt camps. Only one hunt camp permit will be issued annually to a single household for Tate's Hell State Forest and John M. Bethea State Forest. No more than two hunt camp permits will be issued annually to a single household for Withlacoochee State Forest. Specific written procedures for the issuance of hunt camps permits will be developed in accordance with.

5I-4.008 Vendors; Authorizations; Fees.

(1) Any offsite commercial enterprise vendor desiring to provide ~~rent~~ horses, canoes, bicycles, or other animals or equipment to any person for use on managed lands shall is required to secure pay any applicable fees in accordance with subsection 5I-4.002(27), F.A.C. to an authorization from the Division. The commercial enterprise shall provide all customers with copies of Division brochures containing general information governing use of the forest. Vendors a copy of applicable rules. Permits will be issued on a first come, first served basis.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.030191
RULE TITLE: Development of Educational Plans for Exceptional Students Who are Gifted

Notice is hereby given that the following amendments have been made to the proposed rule in accordance in subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 7, of the February 13, 2004, issue of the Florida Administrative Weekly. The amendment to paragraph (6)(c) is as follows:

(c) Meetings shall be held to develop and revise the EP at least every three (3) years for students in grades K-8 and at least every four (4) years for students in grades 9-12. EPs may be reviewed more frequently as needed, such as when the student transitions from elementary to middle school and middle to high school or if the student's parent or teacher requests a review.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shan Goff, K-12 Deputy Chancellor for Student Achievement, Florida Department of Education, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400, (850)245-5020

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03028
RULE TITLE: Development of Individual Educational Plans for Students with Disabilities

Notice is hereby given that the following amendments have been made to the proposed rule in accordance in subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 7, of the February 13, 2004, issue of the Florida Administrative Weekly. The amendment to paragraph (7)(e) is as follows:

(7)(e) A statement of any individual accommodations in the administration of the state or district assessments of student achievement that are needed in order for the student to participate in state or district assessments. A parent must provide signed consent for a student to receive instructional accommodations modifications that would not be permitted on

the statewide assessments and must acknowledge in writing that he or she understands the implications of such accommodations.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shan Goff, K-12 Deputy Chancellor for Student Achievement, Florida Department of Education, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400, (850)245-5020

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03411
 RULE TITLE: Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students

Notice is hereby given that the following amendments have been made to the proposed rule in accordance in subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 7, of the February 13, 2004, issue of the Florida Administrative Weekly. The amendments to paragraph (1)(f) and subparagraph (1)(f)3., are as follows:

(1)(f) Free Appropriate Public Education (FAPE). FAPE refers to special education, specially designed instruction, and related services for students ages three (3) through twenty-one (21) and for students who are gifted in kindergarten through grade twelve that:

3. Include preschool, elementary, or secondary programs in the state as applicable; and

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shan Goff, K-12 Deputy Chancellor for Student Achievement, Florida Department of Education, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400, (850)245-5020.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.260
 RULE TITLE: Prescribed Pediatric Extended Care Service

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 originally in Vol. 29, No. 48, November 26, 2003, Florida Administrative Weekly and

amended in Vol. 30, No. 7, February 13, 2004. These changes are being made based upon comments received at an additional Public Hearing held on Tuesday, March 2, 2004. The following changes were made to Chapter 2 of the Prescribed Pediatric Extended Care Services and Limitations Handbook, October 2003, to make it consistent with other Medicaid Coverage and Limitations Handbooks. On pages 2-5 in the section entitled “Initial Plan of Care Components”, “Transportation Services” was added as a component. On pages 2-11 in the section entitled “Medicaid Transportation”, wording was changed for clarification and consistency with the Transportation Services and Limitations Handbook. On pages 2-11 in the section entitled “Authorization of Medicaid Transportation Services”, wording was changed for clarification and consistency with the Transportation Services and Limitations Handbook.

ANY PERSON CAN OBTAIN A COPY OF THE PAGES WITH CHANGES BY CONTACTING: Kathleen Core, RN, Registered Nurse Consultant, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.: 61D-11.002, 61D-11.005, 61D-11.027
 RULE TITLES: Cardroom Games, Prohibitions, Tournaments

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 29, No. 50, December 12, 2003, issue of the Florida Administrative Weekly. The changes are in response to written comments received from interested parties in the pari-mutuel industry and the Joint Administrative Procedures Committee.

61D-11.002 Cardroom Games.

(1) Those games authorized by Section 849.086(2)(a) 849.085(2)(a), Florida Statutes, ~~and approved by the division~~ are the only games authorized for play at pari-mutuel facilities licensed to conduct cardroom operations. In order to assure only authorized games are played, the division shall review and approve authorized games as follows:

~~(a) A game will be considered for approval by the division when it is authorized by Section 849.085(2)(a), Florida Statutes, and played in a non-banking manner.~~

~~(a)(b)~~ For each game of poker that a cardroom operator desires to conduct, it must submit BPR Form 16-001 to the division. The form shall include the name of the game of poker, the rules specifying how the game is to be played, the procedures for wagering during the conduct of the game, and

the charge to each player for participating in the game. BPR Form 16-001 is adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

~~(b)(2)(a)~~ All poker card games in Hoyle's Modern Encyclopedia of Card Games, by Walter B. Gibson, published by Doubleday and Company, Inc., April 1974 1st Edition hereinafter (Hoyle's) incorporated herein by reference, ~~that~~ are authorized when played in a non-banking manner by and played in a manner consistent with Section 849.085(2)(a) and Section 849.086, Florida Statutes, and the rules promulgated thereunder, shall be approved by the division. All other card games played in a non-banking manner in which the determination of the winner is based upon a traditional poker ranking system as referenced in Hoyle's shall be approved by the division ~~if the type of poker card games and the rules of the poker card games, as specified in BPR Form 16-001, meet the requirements of Section 849.085(2)(a) and Section 849.086, Florida Statutes, and the rules promulgated thereunder.~~

(b) All card games shall be consistent with Section 849.085(2)(a) and Section 849.086, Florida Statutes, and the rules promulgated thereunder.

(c) Any series of games of poker that are played for a single pot shall consist of poker games approved under this section. The cardroom operator shall clearly notify the participants of the number of games in the series that will be necessary to win the pot and the cardroom operator's participation fee that will be charged how the rake will be taken from the pot for the series of games.

~~(2)(3)~~ The cardroom operator or management company shall furnish all cards, chips and tokens. Failure by a cardroom operator or cardroom management company to redeem chips or tokens for their cash value shall be a violation of these rules.

(a) through (b) No change.

Specific Authority 550.0251(12), 550.0125(12), 849.085(2)(a), 849.086(4); (7), (12) FS. Law Implemented 849.085; 849.086 FS. History--New 1-7-97, Amended_____.

61D-11.005 Prohibitions.

(1) No change.

(2) No cardroom operator or licensee shall extend credit, make a loan or grant a gift to any person ~~playing in an authorized card game, or~~ which would enable that enables a person to play in an authorized card game. The consideration required to participate in any card game shall be collected in full, by cash or check, in exchange for chips or tokens prior to participation at a licensed facility.

(a) through (10) No change.

Specific Authority 550.0251(12), 849.086(4), (8), (12) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended_____.

61D-11.027 Tournaments.

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

~~(b) The cardroom operator is prohibited from allowing a participant to pay any fee to re-enter the same tournament. A participant's elimination from a tournament is final. The cardroom operator is prohibited from allowing an eliminated participant to pay any fee to re-enter the same tournament.~~

(c) through (6) No change.

(7) Cash received for tournament entry fees must be kept separate and apart from all other cash received by the cardroom operator or management company until such time as it is counted. The cardroom operator shall report tournament activity on BPR Form 16-008. This form shall be filed with the division by the fifth day of each calendar month for the preceding calendar month's activity. BPR Form 16-008 is adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

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

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History--New_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-11.007	Cardroom Operator License
61D-11.008	Cardroom Business Occupational License
61D-11.009	Cardroom Employee Occupational License
61D-11.012	Duties of Cardroom Operators

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 29, No. 50, December 12, 2003, issue of the Florida Administrative Weekly. The changes are in response to written comments received from interested parties in the pari-mutuel industry and the Joint Administrative Procedures Committee.

61D-11.007 Cardroom Operator License.

(1) through (5) No change.

(6) An applicant for an annual cardroom license shall complete a cardroom license application, BPR Form 16-002, and BPR Form 16-003, and submit a fee of \$1,000.00 for the first card table and \$500.00 for each additional card table to be operated during the license period. For cardroom facilities at which more than one pari-mutuel permit is operated during a year, table fees for the facility may be paid by one or all of the permitholders. License fees are non-refundable. For the initial cardroom license application, in addition to the application and fees submitted, the applicant shall submit its written internal control system for approval by the division. No cardroom application shall be acted upon until the cardroom applicant's

system of internal control has been approved by the division. BPR Forms 16-002 and 16-003 are adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

(7) No change.

Specific Authority 550.0251(12), 849.086(4), (5), (6), (7), (16), (17) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended _____.

61D-11.008 Cardroom Business Occupational License.

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

(3)~~(a)~~ If the applicant for a cardroom business occupational licensee has received a full pardon or a restoration of civil rights in accordance with Florida law and pursuant to Section 944.292, Florida Statutes, with respect to the conviction specified in paragraph (2)(b), the conviction does not constitute an absolute bar to the issuance or renewal of a license or grounds for the revocation or suspension of a license.

~~(b) A corporation that has been convicted, found guilty of, or pled no contest to a felony or misdemeanor, as set forth above, regardless of adjudication, is entitled to apply for and receive a restoration of its civil rights in the same manner and on the same grounds as an individual.~~

(4) through (6) No change.

(7) An applicant for an annual cardroom business occupational license shall complete a cardroom business occupational license application, BPR Form 16-004, and submit the \$250.00 fee for an annual cardroom business occupational license. BPR Form 16-004 is adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

(8) No change.

Specific Authority 550.0251(12), 849.086(4), (5), (6) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended _____.

61D-11.009 Cardroom Employee Occupational License.

(1)(a) Applicants for cardroom licensing for positions providing food service, maintenance and security, who do not hold a current pari-mutuel wagering occupational license, shall be required to submit a pari-mutuel wagering occupational license application, BPR Form 15-027, and apply for a pari-mutuel wagering ~~restricted~~ occupational license. BPR Form 15-027 is adopted and incorporated by Rule 61D-10.001, Florida Administrative Code.

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

(c) BPR Form 16-005 is adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

(3) No change.

(4) Prior to transferring a current pari-mutuel wagering occupational licensee, who will be performing food service, maintenance, ~~or~~ security duties in the cardroom, mutuel teller or pari-mutuel management, the cardroom operator must notify the division Chief Inspector, on BPR Form BPR 16-011. BPR Form 16-011 is adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

(a) through (6) No change.

Specific Authority 550.0251(12), 849.086(4), (5), (6) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended _____.

61D-11.012 Duties of Cardroom Operators.

(1) through (3) No change.

(4) As part of the initial license application, the cardroom operator shall provide a listing of all distributors and cardroom management companies that are providing products or services to the cardroom. The division shall be notified in writing on BPR Form 16-006, of any change in companies providing said services within 10 days of such change. BPR Form 16-006 is adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

(5) No change.

(a) Tapes and other electronic media storage shall be labeled in chronological order by date and time.

(b) Tapes and other electronic media storage of surveillance records shall be maintained for a period of no less than 14 days and Tapes shall be kept for a longer period of time if requested by the division or any law enforcement agency.

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

(7) Cardroom operators are required to issue a photo I.D. to all cardroom employees which shall include, but not be limited to the name of the cardroom facility, ~~the employee's full name, employee number,~~ cardroom employee occupational license number, and expiration date of the license.

(8) through (10)(a) No change.

(b) The cardroom operator will document any discrepancies in the reconciliation of the imprest trays or bank on the Cardroom Daily Control Sheet, BPR Form 16-009. BPR Form 16-009 is adopted and incorporated by Rule 61D-12.001, Florida Administrative Code.

(11) through (13) No change.

Specific Authority 550.0251(12), 849.086(4), ~~(6), (7), (8), (12)~~ FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.:	RULE TITLE:
61G2-3.002	Application Fees
	NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 6, February 6, 2004, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.:	RULE TITLE:
61J1-3.001	Applications by Individuals

NOTICE OF CORRECTION

The Department of Business and Professional Regulation, Florida Real Estate Appraisal Board, announces a correction to the Notice of Change, which appeared in the March 12, 2004 issue of the Florida Administrative Weekly, Vol., 30, No. 11. Specifically, the notice inadvertently published Rule 61J1-3.001, F.A.C., under the heading of the Florida Real Estate Commission.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-4.001 Education Requirements

NOTICE OF CORRECTION

The Department of Business and Professional Regulation, Florida Real Estate Appraisal Board, announces a correction to the Notice of Change, which appeared in the March 12, 2004 issue of the Florida Administrative Weekly, Vol., 30, No. 11. Specifically, the notice inadvertently published Rule 61J1-4.001, F.A.C., under the heading of the Florida Real Estate Commission.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-4.003 Continuing Education

NOTICE OF CORRECTION

The Department of Business and Professional Regulation, Florida Real Estate Appraisal Board, announces a correction to the Notice of Change, which appeared in the March 12, 2004 issue of the Florida Administrative Weekly, Vol., 30, No. 11. Specifically, the notice inadvertently published Rule 61J1-4.003, F.A.C., under the heading of the Florida Real Estate Commission.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

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

NOTICE OF CORRECTION

The Department of Business and Professional Regulation, Florida Real Estate Appraisal Board, announces a correction to the Notice of Change, which appeared in the March 12, 2004 issue of the Florida Administrative Weekly, Vol., 30, No. 11. Specifically, the notice inadvertently published Rule 61J1-6.001, F.A.C., under the heading of the Florida Real Estate Commission.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Division of Family Health

RULE NO.: RULE TITLE:
64F-6.003 Screening

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the above proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 10, No. 4, January 23, 2004, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (3) shall now read as follows:

(3) Growth and development screening shall be provided, at a minimum, to students in grades 1, 3 and 6, and optionally to students in grade 9.

Subsection (4) shall now read as follows:

(4) Scoliosis screening shall be provided, at a minimum, to students in grade 6.

Subsection (5) shall be deleted in its entirety.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sylvia Byrd, Executive Community Health Nursing Director, School Health Services, Division of Family Health Services, 4052 Bald Cypress Way, Bin #A13, Tallahassee, Florida 32399-1723

DEPARTMENT OF FINANCIAL SERVICES

Marine Fisheries

RULE NO.: RULE TITLE:
69B-211.042 Effect of Law Enforcement Records on Applications for Licensure

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 7, February 13, 2004, of the Florida Administrative Weekly.

Subparagraph "(i) Passing worthless check(s) without intent to defraud" should be included in paragraph 22.

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: Instant Game Number 533, MAD MONEY!
RULE NO.: 53ER04-17
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 533, "MAD MONEY!," 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:

53ER04-17 Instant Game Numbers 533, MAD MONEY!

(1) Name of Game. Instant Game Number 533, "MAD MONEY!."

(2) Price. MAD MONEY! lottery tickets sell for \$1.00 per ticket.

(3) MAD MONEY! 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 MAD MONEY! lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any MAD MONEY! 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:

1 ONE	2 TWO	3 THR	4 FOR	5 FIV	6 SIX
7 SVN	8 EGT	9 NIN			



(5) The prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$4.00	\$5.00
TICKET	ONE	TWO	FOUR	FIVE
\$10.00	\$25.00	\$50.00	\$100	\$500
TEN	TWY FIVE	FIFTY	ONE HUN	FIVE HUN

(6) The legend is as follows:

PRIZE

(7) Determination of Prizewinners. A ticket having three



" MBAG " symbols in any one row, column, or diagonal shall entitle the claimant to the prize shown in the prize box. The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, and \$500. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a \$1.00 ticket, except as follows. A person who submits by mail a MAD MONEY! lottery ticket that entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 533 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 84 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$1 TICKET	10.00	1,512,000
\$1	\$1	15.00	1,008,000
\$2	\$2	25.00	604,800
\$4	\$4	100.00	151,200
\$5	\$5	33.33	453,600
\$10	\$10	150.00	100,800
\$25	\$25	300.00	50,400
\$50	\$50	1,800.00	8,400
\$100	\$100	14,400.00	1,050
\$500	\$500	604,800.00	25

(9) The estimated overall odds of winning some prize in Instant Game Number 533 are 1 in 3.89. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 533, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a MAD MONEY! lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(12) Payment of prizes for MAD MONEY! 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 3-12-04.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: March 12, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: _____ RULE NO.:

Instant Game Number 534, \$25,000 CASH VAULT 53ER04-18

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 534, "\$25,000 CASH VAULT," 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:

53ER04-18 Instant Game Number 534, \$25,000 CASH VAULT.

(1) Name of Game. Instant Game Number 534, "\$25,000 CASH VAULT."

(2) Price. \$25,000 CASH VAULT lottery tickets sell for \$2.00 per ticket.

(3) \$25,000 CASH VAULT 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 \$25,000 CASH VAULT lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any \$25,000 CASH VAULT 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:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX
7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVN	12 THELV
13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN
19 NINTN	20 TWENTY				



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX
7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVN	12 THELV
13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN
19 NINTN	20 TWENTY				

(6) The prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$5.00	\$10.00	\$25.00
TICKET	ONE	TWO	FIVE	TEN	THY FIVE
\$50.00	\$100	\$1,000	\$2,500	\$25,000	
FIFTY	ONE HUN	ONE THO	THY FIV HUN	THY FIV THO	

(7) The legends are as follows:

YOUR NUMBERS	WINNING NUMBERS
	PRIZE

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches either number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to ten sets of matching numbers. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$1,000, \$2,500, and \$25,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a \$25,000 CASH VAULT 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 \$50” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$50.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 534 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS	
		ODDS OF 1 IN	PER POOL
TICKET	\$2 TICKET	10.00	1,008,000
\$2	\$2	37.50	268,800
\$2 x 2	\$4	21.43	470,400
\$1 + (\$2 x 2)	\$5	37.50	268,800
\$5	\$5	37.50	268,800
\$1 + (\$2 x 2) + \$5	\$10	75.00	134,400
(\$1 x 8) + \$2	\$10	75.00	134,400
\$10	\$10	150.00	67,200
\$5 x 5	\$25	150.00	67,200
(\$5 x 2) + (\$10 x 4)	\$50	1,200.00	8,400
\$10 x 5	\$50	1,200.00	8,400
\$50 (MONEYBAG)	\$50	600.00	16,800
\$10 x 10	\$100	67,200.00	150
(\$25 x 2) + \$50 (MONEYBAG)	\$100	67,200.00	150
\$100	\$100	100,800.00	100
(\$25 x 6) + \$50 (MONEYBAG)	\$200	504,000.00	20
\$100 x 10	\$1,000	2,520,000.00	4
\$1,000	\$1,000	2,520,000.00	4
\$2,500 x 10	\$25,000	5,040,000.00	2
\$25,000	\$25,000	5,040,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 534 are 1 in 3.70. 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 534, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a \$25,000 CASH VAULT lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for \$25,000 CASH VAULT 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 3-12-04.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: March 12, 2004

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**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Pursuant to Chapter 120.542, F.S., a notice is hereby given that the petition for waiver and variance from subsection 5E-14.106(6), F.A.C., received by the Florida Department of Agriculture and Consumer Services and noticed in the FAW Volume 29, Number 48, on November 26, 2003, has been withdrawn by virtue of the notice of withdrawal dated February 19, 2004.

PETITIONER: Richard K. Storey, President and certified operator of the licensee, Critter Gitter Pest Control, Inc.

DATE PETITION FILED: Nov. 19, 2003

RULE TITLE: Entomology-Pest Control Regulations

RULE NO.: Subsection 5E-14.106(6), F.A.C., relating to Use of Pesticides – Labels, Limitations, Precautions.

Interested persons may request a copy of the notice of withdrawal letter by contacting Marlene Czerniak, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, 3125 Conner Blvd., Tallahassee, FL, Tel. 850-488-3731.

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 the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, F.S. (SFWMD 2004-042 DAO-ROW), on March 10, 2004, to Broward County Parks and Recreation Division. The petition for waiver was received by the SFWMD on December 4, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 52, on December 26, 2003. No public comment was received. This Order provides a waiver for a proposed parking lot, entrance drive and stormwater swale, all associated with a proposed trailhead located immediately west of the Sawgrass Expressway, approximately 1/4 mile south of the western terminus of West Atlantic Boulevard, within the north right of way of C-14; S31/T48S/R41E, Broward County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), F.A.C., which prohibits the parking of vehicles, vehicular access, and placement of drainage treatment facilities within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Broward County Parks and Recreation Division from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from Kathie Ruff at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone number (561)682-6320; or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, F.S., (SFWMD 2004-043 DAO-ROW), on March 10, 2004, to the Town of Davie. The petition for waiver was received by the SFWMD on October 30, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 47, on November 21, 2003. No public comment was received. This Order provides a waiver for installation of nine (9) above-ground trail information bollards (in lieu of previously-authorized (7)) and two (2) existing historic canoe mooring cleats to remain within the north right of way of the C-11 Canal, located between SW 57th Avenue and SW 76th Avenue; S25,26,27/T50S/R40 & 41E, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), F.A.C., and the Basis

of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), F.A.C., which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Town of Davie from suffering a substantial hardship.

A copy of the Order can be obtained from Kathie Ruff at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone number (561) 682-6320; or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, F.S. (SFWMD 2004-044 DAO ROW), on March 10, 2004, to the Florida Department of Transportation (FDOT). The petition for waiver was received by the SFWMD on January 6, 2004. Notice of receipt of the petition requesting waiver was published in the Florida Administrative Weekly, Vol. 30, No. 4, on January 23, 2004. No public comment was received. This Order provides a waiver for the placement of a gate and guardrail within the south right of way of C-4 adjacent to the Krome Avenue Bridge; S1/T54S/R38E, Miami-Dade County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications with the South Florida Water Management District, incorporated by reference in paragraph 40E-6.091(1), F.A.C., which governs the placement of permanent and/or semi-permanent above-ground structures within forty feet of the top of the canal bank and within the District's designated 100 foot long equipment staging areas located at all bridge and pile-supported utility crossings with Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from subject rule would prevent FDOT from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from Kathie Ruff at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone number (561)682-6320; or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, F.S. (SFWMD 2004-045 DAO ROW), on March 10, 2004, to Paradise Villas Condominium Association, Inc.. The petition for waiver was received by the SFWMD on October 31, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 29, No. 49, on December 5, 2003. No public comment was received. This Order provides a waiver for the proposed relocation of 2 pilings, replacement of 3 pilings and the construction of 2 finger piers and fencing; and waiver of the District's criteria for an existing satellite dish and 3 moored vessels within the north right of way of C-17 east of U.S. No. 1 Bridge, adjacent to Paradise Villas Condominium; S16/T42S/R42E, Palm Beach County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), F.A.C., and the Basis of Review for the Works or Lands of the District Permit Applications with the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), F.A.C., which prohibits the placement of satellite dishes/antennas, and mooring of vessels that extend out into the channel more than 25% of the total width of the canal within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would not prevent Paradise Villas Condominium Association, Inc. from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from Kathie Ruff at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone number (561)682-6320; or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, F.S. (SFWMD 2004-046 DAO ROW), on March 10, 2004, to Helen Stone Revocable Trust, Owner. The petition for waiver was received by the SFWMD on December 23, 2003. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 30, No. 4, on January 23, 2004. No public comment was received. This Order provides a waiver for existing boat dock and shade/greenhouse to remain

within the south right of way of the Golden Gate Main Canal at the rear of 2265 Longboat Drive; S35/T49S/R25E, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), F.A.C., which governs the minimum low member elevation of pile-supported docking facilities and the placement of permanent and/or semi-permanent above-ground structures within forty feet of the top of the canal bank with Works or Lands of the District. Generally, the Order sets forth basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting waiver from the subject rule would prevent Helen Stone Revocable Trust, Owner from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from Kathie Ruff at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone number (561)682-6320; or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, F.S. (SFWMD 2004-047 DAO ROW), on March 10, 2004, to Roger Whetstone. The petition for waiver was received by the SFWMD on January 21, 2004. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 30, No. 8, on February 20, 2004. No public comment was received. This Order provides a waiver for the proposed placement of a fence enclosure and existing landscaping (native trees) located approximately 33' from the top of bank within the south right of way of the Hillsboro Canal at the rear of 5411 N.W. 77th Court; S31/T47S/R42E, Broward County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications with the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), F.A.C., which governs the placement of permanent and/or semi-permanent above-ground structures within forty feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Roger Whetstone from suffering a violation of the principles of fairness.

A copy of the Order can be obtained from Kathie Ruff at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone number (561)682-6320; or by e-mail kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, F.S. (SFWMD 2003-040-DAO-WOD), dated March 10, 2004 to John Stanley on behalf of Four Winds Hounds, Inc. The petition for waiver was received by the SFWMD on January 7, 2004. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 30, Number 3, January 16, 2004. No public comment was received. This Order provides a waiver to allow the use of horses off of designated trails and the use of dogs, at the Hickory Hammock Wildlife Management Area and Starvation Slough sub unit of the Kissimmee River Public Use Area. Specifically, the Order grants a waiver from subsections 40E-7.520(5), 40E-7.526(2) and 40E-7.527(1), F.A.C., which prohibits equestrian activities off of designated equestrian trails and named or numbered roads, and prohibits dogs, except as authorized by the Florida Fish and Wildlife Conservation Commission, at Hickory Hammock and Starvation Slough Management Areas. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) Staff recommends a waiver of District criteria which governs the use of horses off of designated trails and prohibits dogs, other than those approved by the Florida Fish and Wildlife Conservation Commission, at Hickory Hammock and Starvation Slough Management Areas as the proposed activity is not obstructive to the area operations and without concernable impact to the land; 2) the Petitioner will be responsible and repair any possible damage it causes; and 3) a waiver from the subject rules is necessary to prevent Four Winds Hounds Inc., from suffering a substantial hardship.

A copy of the Order can be obtained from Charron Follins at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone number (561)682-6293; or by email cfollins@sfwmd.gov

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN by the Agency for Health Care Administration that the petition for a waiver of subparagraphs 59A-1.005(1)(a)3., and 59A-1.005(1)(a)4., Florida Administrative Code, for SpinalGraft Technologies, LLC has been denied. subparagraph 59A-1.005(1)(a)3., Florida Administrative Code, pertains to the medical director requirements for an organ procurement organization (OPO), tissue bank and eye bank. Subparagraph 59A-1.005(1)(a)4., Florida Administrative Code, pertains to OPO, tissue bank and

eye bank working relationships with medical examiner offices. The basis of the denial is that the petitioner did not demonstrate that the purpose of the underlying statute will be, or has been achieved by other means, or that application of the rule would create a substantial hardship or would violate principles of fairness.

The petition for waiver was received by the Agency for Healthcare Administration on December 8 2003. A notice was published in the January 16, 2004 issue of the Florida Administrative Weekly informing the public of the petition. No public comments regarding this matter were received during the comment period.

A copy of the Petition can be obtained from: General Counsel's Office, Agency for Healthcare Administration, 2727 Mahan Drive, MS #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on March 3, 2004 the Division of Hotels and Restaurants received a Petition for Variance for subsection 61C-4.010(7), Florida Administrative Code, from Tropical Treats and Eats LLC. They are requesting a variance to add additional seating without adding an additional bathroom facility (Petition VW 2004-022).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 4, 2004 the Division of Hotels and Restaurants received a Petition for Variance for subsection 61C-4.010(7), Florida Administrative Code, from Courtyard Cafe' of Saint Augustine. They are requesting a variance to add additional seating (eight) without adding a bathroom facility (Petition VW 2004-025).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 8, 2004, Bureau of Elevator Safety received a Petition for Emergency Variance from ASME A.17.1, Section 101.4, as adopted by Rule 61C-5.001, Florida Administrative Code, from Lee Rigby of

Vertical Assessment Associates, requesting a variance from the vertical clearance above an elevator for elevator serial # 35810 located at Tampa General Hospital.

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

DEPARTMENT OF ENVIRONMENTAL REGULATION

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 Psychology hereby gives notice that it has issued an Order on the Petition for Waiver/Variance filed on behalf of Bryan D. Lee. The Notice of Petition for Waiver/Variance was published in Vol. 30, No. 4, of the January 23, 2004, Florida Administrative Weekly.

The Board considered the Petition at its January 29-30, 2004 meeting. The Board's Order denies the petition for waiver/variance finding that the underlying purpose of the statute, as implemented by paragraph 64B4-3.003(3)(b), F.A.C., has not been met and that the Petitioner has not demonstrated a substantial hardship. A copy of the Board's Order may be obtained by contacting the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

The Board of Medicine hereby gives notice that it has received a petition filed on March 12, 2004, on behalf of Howard D. Palte, M.D., seeking a variance/waiver from Rule 64B8-4.004, F.A.C., with regard to approved residency training programs. Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850) 245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on March 4, 2004, on behalf of Sabiha Khadim, M.D., seeking a variance/waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE. Comments on this petition should be filed with

Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850) 245-4131.

The Board of Psychology hereby gives that the petition filed on behalf of John Rissi, Ph.D., on December 23, 2003, seeking a waiver/variance from paragraph 64B19-11.001(4)(c), F.A.C., has been withdrawn. The Notice of Petition was published in Volume 30, No. 03 of the January 16, 2004 issue of the Florida Administrative Weekly. The person to be contacted regarding this matter is Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection

DATE AND TIME: April 13, 2004, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c)

of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services**, announces the State Library Council Meeting

DATE AND TIME: Monday, April 12, 2004, 10:00 a.m. – 2:00 p.m.

PLACE: Archives Conference Room, State Library and Archives of Florida, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The council will review and discuss programs and issues related to the Division of Library and Information Services.

For additional information contact: Judith Ring, State Librarian, at (850)245-6600 or Suncom 205-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF LEGAL AFFAIRS

The Finance and Budget Committee of the Florida **Commission on the Status of Women** will hold a telephone conference:

DATE AND TIME: Thursday, April 8, 2004, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

The Awards and Recognition Task Force Committee of the Florida **Commission on the Status of Women** will hold a telephone conference:

DATE AND TIME: Thursday, April 8, 2004, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Division of Plant Industry** announces a meeting:

DATE AND TIME: Thursday, April 8, 2004, 10:00 a.m.

PLACE: DACS, Division of Plant Industry's Conference Room, 1911 SW 34th Street, Gainesville, Florida 32614, Phone: (352)372-3505

Public Comment

The Chair invited members of the public to address the Council.

Agenda Items and Assignments for March 8, 2004 FCCOMC Meeting

- Report on attendance and representation (results of contacting members by DACS, and Alex Cordero) Tom Loyless. and Alex Cordero.
- Attendance policy proposal. Jeff Blair
- Review and update workplan. Jeff Blair
- Subcommittee on Managed Marshes (SOMM) report
- Report from the Subcommittee on Aerial Spray (SAS) including recommendations for research proposal funding
- Discussion/Recommendations on mosquito control aspects of the Arbovirus Response Plan (DACs will provide proposal) Tom Loyless
- Malaria control update Carina Blackmore and Tom Loyless.
- Permethrin Aerial Use Discussion/Recommendations
 - Tom Loyless will report on which other states are using Permethrin aerially, what research has been done, to what extent it is being used, and at what rates is it being used, as well as any other factors.
 - Randy Dominy will check on some of the restrictions and provide information on the endocrine disrupter effects.
 - Tom Loyless will provide a copy of the label and email it to the members prior to the next meeting.
 - Randy Dominy will provide a summary of any non-target data available.
 - Mike Shirley (standing in for Alex Cordero) will contact researchers from labs who are conducting the endocrine research to present on available data.
 - Use of Agnique to control pupae on environmentally sensitive lands (Alex Cordero to coordinate information needed for the discussion)
 - Tom Loyless will contact Richard Levy and request he make a presentation at the next meeting on saltwater effects and data.
 - Tom Loyless will contact Harry Zhong and request he present at the next meeting.
 - Tom Loyless will report on how many state programs are using Agnique and what is the extent and conditions of their use.

The **Department of Agriculture and Consumer Services**, The Fourth Aerial Application Subcommittee announces a meeting to be held:

DATE AND TIME: April 7, 2004, 9:00 a.m. – 12:00 Noon

PLACE: The Centre of Medical Agricultural and Veterinary Entomology, 1600 S.W. 23rd Boulevard, Gainesville, FL

The person to be contacted regarding this notice is: Jane A.S. Barber, Florida A&M University, Public Health Entomology Research and Education Center, Telephone (850)872-4184

GENERAL SUBJECT MATTER TO BE CONSIDERED: The focus of this committee is to develop both pure research and operational research to fill information gaps in our knowledge base on optimization of aerial pesticide application. find funding for research and organize dedicated teams to produce the caliber and quantity of data necessary. This meeting will be a focus group on the development of drift models for aerial application in mosquito control.

AGENDA

- OPEN MEETING
- REVIEW MINUTES
- APPROVE MINUTES
- DISCUSSION ITEMS
 - DEVELOPMENT OF DROPLET SIZE CLASSIFICATION SCHEME/TABLES TO DESCRIBE THE NOZZLES SO FAR USED IN MOSQUITO CONTROL
 - SAMPLER DEVELOPMENT; STANDARDIZATION OF MEASUREMENT PROTOCOLS
 - THREE CHAPTERS ARE REQUIRED FOR THE HANDBOOK WHICH SHOULD BE DISCUSSED ONE ON GROUND SPRAYING ONE ON AERIAL SPRAYING AND ONE ON THE CHEMICALS AVAILABLE FOR MOSQUITO CONTROL.
- ANY OTHER BUSINESS
- MEETING CLOSE

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council:

DATE AND TIME: Thursday, April 1, 2004, 11:00 a.m.

PLACE: Miami-Dade Extension Office, 18710 S.W. 288 Street, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting

The purpose of this meeting is to conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call Louise King at (305)246-8460.

The **Office of Agricultural Water Policy** announces a Nursery Best Management Practices (BMPs) development meeting to which all interested persons are invited:

DATE AND TIME: April 20, 2004, 6:00 p.m. – 8:00 p.m.

PLACE: Broward County Extension Office, 3245 College Avenue, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting is designed to allow all interested parties the opportunity to participate in the development of a Best Management Practices manual for the Nurseries in the geographic boundary of the South Florida Water Management District. Once developed this manual will be the basis for a statewide Nursery BMP initiative.

Participants will discuss specific management options for each area of the BMP outline designed at the previous working group meetings.

For more information please contact Mr. Ken Kuhl, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governors Square Blvd., Suite 200, Tallahassee, FL 32301, telephone number (850)488-6249, Sun Com (850)278-6249 or visit the following website: www.floridaagwaterpolicy.com

Pursuant to Section 286.26, Florida Statutes, any persons requiring special accommodations due to disability or physical impairment should contact the agency at least 48 hours prior to the meeting to request any special assistance.

DEPARTMENT OF EDUCATION

The **Florida Institute of Phosphate Research** announces a meeting of the Board of Directors to which all persons are invited.

DATE AND TIME: Friday, April 16, 2004, 9:30 a.m.

PLACE: Florida Institute of Phosphate Research, Building B, Education Building, 1855 West Main Street, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider funding of research proposals and other business pertaining to the operation of the Institute.

A copy of the January 16, 2004 Board Meeting minutes may be obtained by writing to: Dr. Paul R. Clifford, Executive Director, Florida Institute of Phosphate Research, 1855 West Main Street, Bartow, Florida 33830.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces a workshop on Alternative Plans Review and Inspections by Private Providers to which all persons are invited. The workshop will be held at:

DATE AND TIME: April 2, 2004, 9:00 a.m.

PLACE: St. James Renaissance Room, 1st Floor, Jacksonville City Hall, 117 West Duval Street, Jacksonville, Florida (904)630-1377

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to continue work on issues with the system of private inspections that need to be clarified or modified.

A copy of the workshop agenda may be obtained from the Florida Building Commission website, www.floridabuilding.org. Any person requiring a special accommodation at the workshop because of a disability or physical impairment should contact Ms. Barbara Bryant at the Department of Community Affairs (850)487-1824 at least ten days before the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Region XIV Advisory Council** announces a meeting to which all interested parties are invited.

DATE AND TIME: Thursday, April 8, 2004, 9:00 a.m.

PLACE: Room 9116, School of Justice, Miami Dade College North Campus, Miami, Florida

Contact person is Josefina de Lage, Secretary of the Region XIV Advisory Council, telephone (305)237-1329

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a meeting to which all persons are invited.

DATE AND TIME: April 2, 2004, 10:00 a.m.

PLACE: Disney/SBA National Entrepreneur Center, 315 East Robinson Street, Suite 100, Training Room II, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to afford interested persons an opportunity to express their views to the Department of Revenue concerning the taxable status of reward point or similar discount programs offered by transient rental accommodation businesses to reward customers for their patronage.

The agenda for this meeting may be obtained by contacting Laurie Evitt at evittl@dor.state.fl.us or (850)414-1317, or writing her at the Department of Revenue, 501 South Calhoun Street, Room 104, Carlton Building, Tallahassee, FL 32399-0100.

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 Laurie Evitt at (850)414-1317. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (voice) and (800)955-8771 (TDD).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of two public meetings of the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATES AND TIMES: Thursday, May 20, 2004, 9:00 a.m. – 4:00 p.m. Eastern Daylight Time; Friday, May 21, 2004, 9:00 a.m. – 12:00 p.m. Eastern Daylight Time

PLACE: Both meetings will be held at Disney's Coronado Springs Resort, 1000 West Buena Vista Drive, Orlando, Florida 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the Florida Hurricane Catastrophe Fund (FHCF) Participating Insurers workshop. Additional information is available on the FHCF website at www.sbafla.com/fhcf under the heading "What's New."

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend any of these meetings is requested to call Donna Sirmons, (850)413-1349, five days prior to the meeting so that appropriate arrangements can be made.

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of two public meetings of the Florida Commission on Hurricane Loss Projection Methodology to which all persons are invited.

DATES AND TIMES: Wednesday, May 12, 2004, 9:00 a.m. – 4:00 p.m. Eastern Daylight Time; Thursday, May 13, 2004, 9:00 a.m. – 4:00 p.m. Eastern Daylight Time

PLACE: Both meetings will be held in the Hermitage Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

TELEPHONE: The conference call number for the meetings listed above, for those persons who cannot be physically present, is (850)488-8295 or Suncom 278-8295.

GENERAL SUBJECT MATTER TO BE CONSIDERED: These are regular business meetings of the Commission to review computer models under the standards and acceptability process for 2003 and to address other general business of the Commission.

Anyone wishing to receive a copy of the agenda should contact Donna Sirmons, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, anyone needing special accommodation to attend any of these meetings is requested to call Donna Sirmons, (850)413-1349, five days prior to the meeting so that appropriate arrangements can be made.

The **Florida Prepaid College Program Board** announces a public workshop to which all interested parties are invited to attend.

DATE AND TIME: Friday, April 2, 2004, 8:00 a.m., or soon thereafter.

PLACE: The Ritz Carlton Buckhead, Conference Room Plaza 2, 3434 Peachtree Road, Atlanta, Georgia 30326

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a workshop with the Board's Investment Consultant and Investment Managers concerning the Boards investment policies.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, or by calling (904)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, at (850)488-3555, no later than five (5) days prior to the meeting.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Fresh Orange & Specialty Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, April 6, 2004, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to recap this season's programs for review, plan next season's programs and discuss any other business which may appropriately come before the council.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone at (863)499-2510.

The **Department of Citrus** announces a public meeting of the Fresh Domestic Grapefruit Advisory Council to which all persons are invited.

DATE AND TIME: Wednesday, April 7, 2004, 10:00 a.m.

PLACE: Indian River Citrus League, 7925 20th Street, Vero Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to recap the current season's programs, have initial discussion of next season's program ideas and discuss any other business that might come before the council for consideration.

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.

The **Department of Citrus** announces a public meeting of the Gift Fruit Advisory Council to which all persons are invited.

DATE AND TIME: Thursday, April 8, 2004, 10:00 a.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to hear a recap of the 2003-04 programs and initial planning for the 2004-05 season. The Council will also discuss any other issues that may properly come before the Council.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson by telephone at (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 7, 2004, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). A copy of the Agenda may be obtained by writing to the Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces an informal customer meeting in the following docket, to which all interested persons are invited.

Docket No. 030444-WS – Application for rate increase in Bay County by Bayside Utility Services, Inc.

DATE AND TIME: April 15, 2004, 6:00 p.m. (Central)

PLACE: Panama City Beach Senior Center, 423 Lyndell Lane, Panama City Beach, Florida 32407

The meeting will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the meetings may be adjourned. All persons desiring to comment on the utility's requested increase are urged to appear at the beginning of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit members of the public to comment regarding the request for rate increase by Bayside Utility Services, Inc. At the meeting, customers may be heard on any and all issues in the case relating to this request.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (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). One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Film & Entertainment and the Florida Film Advisory Council Professional Development Committee** will convene in a conference call meeting of the Committee. This is a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 15, 2004, 3:00 p.m., (and every proceeding Monday through April 26, 2004)

PLACE: The Governor's Office of Film & Entertainment, 400 South Monroe Street, Suite 2002, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss jumpstarting Florida's new professional development training series.

CALL IN#: Suncom: 291-6599, Non-Suncom:(850)921-6599

A copy of the agenda may be obtained by writing to Brian Diesselhorst, Executive Assistant, the Office of Film & Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)410-4765. Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

REGIONAL PLANNING COUNCILS

The **District I Local Emergency Planning Committee (LEPC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 21, 2004, 10:00 a.m. CDT

PLACE: Niceville City Hall Council Chambers, 208 N. Partin Dr., Niceville, FL 32578

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the District I Local Emergency Planning Committee

A copy of the agenda may be obtained by contacting: The Executive Director, West Florida Regional Planning Council, P. O. Box 9759, Pensacola, Florida 32513-9759.

The **Central Florida Regional Planning Council** will hold its public meeting and the Council's Executive Committee meeting, to which all persons are invited:

DATE AND TIME: Wednesday, April 14, 2004, 9:30 a.m.

PLACE: Highlands County Health Department Conference Room, 7205 South George Blvd., Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting of the Council and the Executive Committee

A copy of the agenda may be obtained by writing to: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

REGIONAL TRANSPORTATION AUTHORITIES

The **Hillsborough Area Regional Transit Authority (HART)** announces the following public meetings of the Governing Board of the Authority to which all persons are invited:

Public Hearing

DATE AND TIME: April 5, 2004, 8:30 a.m.

PLACE: HARTline, County Center, 601 E. Kennedy Boulevard, Planning Commission Board Room, 18th Floor, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled Board of Directors Meeting

AGENDA/GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Call to Order
2. Approval of Minutes
3. Introductions, Recognition and Awards
4. Consumer Advisory Committee Report
5. Public Comment on Action Items
6. Consent Action Items
7. Other Action Items
8. Chairman's Report
9. Reports from HART Representatives
10. HART Committee Reports
11. Other Board Member's Report
12. Executive Director's Report
13. Employee Comment
14. General Public Comment
15. Discussion and Presentations
16. Monthly Information Reports
17. Other Information Items
18. Other Business

A copy of the detailed agenda may be obtained by contacting Mary Staples, Administrative Assistant II, Hillsborough Area Regional Transit Authority, 201 E. Kennedy Boulevard, Suite 900, Tampa, FL 33602-5829, (813)223-6831, ext.2111.

Section 286.0105, Florida Statutes, states that if a person decided to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Lauren Skiver at (813)623-5835 at least 48 hours before the meeting. If the caller is hearing impaired, contact the Authority at (813)626-9158 (TDD).

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces the following public meetings and hearings which may be conducted by means of or in conjunction with communications technology. All persons are invited.

MEETING OF GOVERNING BOARD AND COMMITTEE CHAIRMEN

DATE AND TIME: Tuesday, April 13, 2004, 8:15 a.m.

PLACE: District Headquarters, Highway 100 West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE & ADMINISTRATION COMMITTEE

DATE AND TIME: Tuesday, April 13, 2004, 8:45 a.m.

PLACE: District Headquarters, Highway 100 West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Finance & Administration Committee agenda items followed by committee recommendations to be approved by the full Governing Board. Staff will recommend approval of external budget amendments which affect the adopted budget.

REGULATORY COMMITTEE

DATE AND TIME: Tuesday, April 13, 2004, 10:00 a.m.

PLACE: District Headquarters, Highway 100 West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD/REGULATORY MEETING AND PUBLIC HEARING ON LAND ACQUISITION

DATE AND TIME: Tuesday, April 13, 2004, 1:00 p.m.*

*This meeting may continue at 8:00 a.m. on Wednesday, April 14 if not completed April 13, 2004.

PLACE: District Headquarters, Highway 100 West, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

PUBLIC HEARING ON RULE AMENDMENTS

DATE AND TIME: Tuesday, April 13, 2004 following regularly scheduled Governing

Board/Regulatory meeting which begins at 1:00 p.m.

PLACE: District Headquarters, Highway 100 West, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing to discuss proposed rule amendments regarding Water Management Lands Acquisition and Management, Chapter 40C-0, F.A.C.

A copy of the agenda may be obtained at the St. Johns River Water Management District website www.sjrwmd.com or by calling (386)329-4500. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing by contacting Ann Freeman at (386)329-4101.

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person will need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **South Florida Water Management District** announces a private closed door attorney-client session:

DATE AND TIME: Wednesday, April 14, 2004, 8:30 a.m. – completed.

PLACE: 8:30 a.m. – 11:00 a.m.: Palm Beach County Convention Center, 1L, 650 Okeechobee Blvd., West Palm Beach, Florida 33401. Remainder of day: B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8), F.S. (2003), to discuss strategy related to litigation expenditures in Friends of the Everglades, et al., v. South Florida Water Management District, et al, United States District Court, Southern District of Florida, Case No. 02-80309-CIV-Altonaga/Bandstra. The subject matter shall be confined to the pending litigation.

ATTENDEES: Governing Board Members I. Bague, P. Brooks-Thomas, M. Collins, H. English, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, T. Williams; Executive Director H. Dean; District attorneys S. Wood, S. Glazier, D. MacLaughlin, J. Nutt, S. Echemendia, and M. Dorta.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained at the (1) District Website “<http://www.sfwmd.gov/agenda.html>” or (2) by writing to the South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact Paula Moree, Deputy District Clerk, in the Office of District Clerk, Phone Number (561)682-6447. District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a private closed door attorney-client session:

DATE AND TIME: Wednesday, April 14, 2004, 8:30 a.m. – completed.

PLACE: 8:30 a.m. – 11:00 a.m.: Palm Beach County Convention Center, 1L, 650 Okeechobee Blvd., West Palm Beach, Florida 33401. Remainder of day: B-1 Auditorium,

3301 Gun Club Road, West Palm Beach, Florida 33406. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8), F.S. (2003), to discuss strategy related to litigation expenditures in Miccosukee Tribe of Indians of Florida, v. South Florida Water Management District and Sam Poole, and Friends of Everglades v. South Florida Water Management District, United States Court of Appeals Eleventh Circuit, Case No. 00-15703 The subject matter shall be confined to the pending litigation.

ATTENDEES: Governing Board Members I. Bague, P. Brooks-Thomas, M. Collins, H. English, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, T. Williams; Executive Director H. Dean; District attorneys S. Wood, S. Glazier, D. MacLaughlin, J. Nutt, S. Echemendia, M. Dorta, and T. Bishop.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact Paula Moree, Deputy District Clerk, in the Office of District Clerk, Phone Number (561)682-6447. District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a private closed door attorney-client session:

DATE AND TIME: Wednesday, April 14, 2004, 8:30 a.m. – completed.

PLACE: 8:30 a.m. – 11:00 a.m.: Palm Beach County Convention Center, 1L, 650 Okeechobee Blvd., West Palm Beach, Florida 33401. Remainder of day: B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8), F.S. (2003), to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District et al, United States District Court, Southern District of Florida, Case No. 88-1886-Civ-Moreno. The subject matter shall be confined to the pending litigation.

ATTENDEES: Governing Board Members I. Bague, P. Brooks-Thomas, M. Collins, H. English, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, T. Williams; Executive Director H. Dean; District attorneys S. Wood, S. Glazier, D. MacLaughlin, S. Echemendia, M. Dorta, and Kirk Burns.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact Paula Moree, Deputy District Clerk, in the Office of District Clerk, Phone Number (561)682-6447. District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406.

The **Regional Business Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 14, 2004; 2:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss regional issues impacting South Florida including transportation

A copy of the agenda may be obtained by writing The Broward Workshop, 2740 East Oakland Park Boulevard, Suite 206, Fort Lauderdale, Florida 33306. The Regional Business Alliance is comprised of business and elected leaders from Monroe, Miami-Dade, Broward, Palm Beach, and Martin Counties, including members of the South Florida Regional Transportation Authority and South Florida Regional Planning Council.

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

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, April 14, 2004, 8:30 a.m. until completed.

PLACE: Palm Beach County Convention Center, 1L, 650 Okeechobee Blvd, West Palm Beach, Florida 33401. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Workshop/Meeting to discuss and consider District business including budget and strategic planning matters.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, at (561)686-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Paula Moree, Deputy District Clerk, in the Office of District Clerk, Phone Number (561)682-3447. District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, April 14, 2004, 11:00 a.m. until completed.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33416. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Governing Board Workshop/Meeting/Audit Committee/Human Resources Committee to discuss and consider District business including regulatory and non-regulatory matters.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary

for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, at (561)686-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Paula Moree, Deputy District Clerk, in the Office of District Clerk, Phone Number (561)682-3447. District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115 West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, April 6, 2004, 9:30 a.m. until completed.

PLACE: SFWMD, B-1 3301 Gun Club Road, West Palm Beach, Florida 33416. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Land Resources and Regulation Committee meeting to discuss regulation, real estate acquisition and land management issues.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, at (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Paula Moree, Deputy District Clerk, in the Office of District Clerk, Phone Number (561)682-6447. District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: April 8, 2004, 8:30 a.m.

PLACE: SFWMD Headquarters, 3301 Gun Club Road, B1 Auditorium, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Regular Monthly Meeting.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, at (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Paula Moree, (561)682-6447, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115 West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting(s) to which all interested parties are invited:

DATE AND TIME: April 2, 2004, 9:00 a.m. – 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Issues Workshop on The Upper East Coast Regional Water Supply Plan

PLACE: Stuart City Hall, 121 SW Flagler Avenue, Stuart, FL 34994

Information regarding the existing Upper East Coast Water Supply Plan can be found at <http://www.sfwmd.gov/org/wsd/wsp/uecwsp.htm>.

A copy of the agenda may be obtained at the District Website seven (7) prior to the meeting at (<http://www.sfwmd.gov/gover/wrac/agendas.html>) or by writing to the 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, at (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information, please contact: Mark Elsner at (561)682-6156 or at melsner@sfwmd.gov, Water Supply Planning and Development Division, or Paula Moree at (561)682-6447 or at pmoree@sfwmd.gov in the District Clerk's Office, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following meeting and workshop to which the public is invited.

DATE AND TIME: Wednesday, April 7, 2004, 10:00 a.m.

PLACE: Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing to the Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based. Persons with disabilities who need assistance may call (941)316-1776 at least two business days in advance to make appropriate arrangements.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a meeting of the Hospital Guide Work Group to which all interested parties are invited.

DATE AND TIME: Tuesday, April 27, 2004, 10:00 a.m.

PLACE: Agency for Health Care Administration, Hurston Building, First Floor Conference Room B, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study available data on hospital services, quality indicators or other data and make recommendations for publication and dissemination to consumers.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, at (850)922-5861 at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing to: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

DEPARTMENT OF MANAGEMENT SERVICES

The **Florida Black Business Support Corporation** announces its teleconference meetings, for the next quarter, of its Loan Investment Committee to which all interested persons are invited.

DATES AND TIME: Thursday, April 8, 2004, Thursday, May 13, 2004; Thursday, June 10, 2004, 10:00 a.m.

PLACE: Teleconference – Call (850)487-4850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider financing requests, receive reports relating to loan and investment activities, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Support Corporation, 1711 South Gadsden Street, Tallahassee, FL 32301; Telephone (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend these meeting, please notify the FBBSC office at (850)487-4850 at least seven (7) days prior to the meetings.

The Real Choice Partnership Project of the Americans with Disabilities Act Working Group, which is administered by the **Department of Management Services**, announces a meeting of the Consumer Task Force and Public Hearing to which all interested persons are invited.

PUBLIC MEETING

DATES AND TIMES: April 8, 2004, 9:00 a.m. – 5:00 p.m.; April 9, 2004, 9:00 a.m. – 12:00 noon

PUBLIC HEARING

DATE TIME: April 8, 2004, 6:00 p.m. – 8:00 p.m.

PLACE: Hilton Jacksonville Riverfront, 1201 Riverfront Boulevard, Jacksonville, Florida 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: To facilitate the mission of the Real Choice Partnership Grant Project.

A copy of the agenda may be obtained by writing or calling the Americans with Disabilities Act Working Group, Building 4050 Esplanade Way, Ste. 160K, Tallahassee, Florida 32399-0950 VOICE: (850)922-4103, TTY: (850)922-4103.

Should you require accommodations or materials in alternate formats, please contact Stacia Woolverton at (850)922-4103 (VOICE) or (850)922-4103 (TTY).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Regulatory Council of Community Association Managers** announces the following general business meeting to which all persons are invited.

DATE AND TIME: April 23, 2004, 10:30 a.m. (EST)

PLACE: Via telephone conference – To connect, dial (850)921-2530, Suncom 291-2530.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: The Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399 or by calling (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting (850)922-6096. If you are hearing and speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such

purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Auctioneers** announces the following general business meeting to which all persons are invited.

DATE AND TIME: Monday, April 5, 2004, 10:00 a.m.(EST)

PLACE: Via telephone conference – To connect, dial (850)921-2548 or Suncom 291-2548

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing: The Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399 or by calling (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting (850)922-6096. If you are hearing and speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The **Department of Business and Professional Regulation** announces a public meeting of the Florida **Barber's Board** to which all persons are invited to participate.

DATE AND TIME: Monday, May 3, 2004, 9:00 a.m.

PLACE: AmeriSuites Orlando Convention Center, 8741 International Drive, Orlando, Florida 32819

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 at 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 at (850)488-4925, at least five calendar days prior to the meeting being held.

If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees to which all persons are invited:

DATE AND TIME: Tuesday, April 20, 2004, 10:00 a.m.

PLACE: Hilton Naples & Towers, 5111 Tamiami Trail North, Naples, Florida 34103

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing the Board of Professional Engineers at 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Natalie Lowe at (850)521-0500.

The **Board of Professional Geologists** announces a General Business Meeting. All interested parties are invited to attend at the address listed below.

DATES AND TIMES: April 21, 2004, 1:00 p.m.; April 22, 2004, 9:00 a.m.

PLACE: Sheraton Suites Tampa Airport, 4400 West Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Board business.

A copy of the agenda may be obtained by writing to John Knap, Executive Director, Department of Business and Professional Regulation, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 32399 or by calling (850)487-1395.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone

Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact John Knap by Tuesday, April 20, 2004.

The Probable Cause Panel of the **Building Code Administrators and Inspectors Board** announces a meeting.

DATE AND TIME: April 6, 2004, 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 to Brian Higgins, Assistant General Counsel, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, or by phone at (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 Building Code Administrators and Inspectors Board** announces the following meetings to which all persons are invited to attend.

DATE AND TIME: April 29, 2004, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application, Rules and Legislation, Examination and Continuing Education, and Executive Committee Meetings and General Board and Business Meeting.

DATE AND TIME: April 30, 2004, 9:00 a.m.

PLACE: AmeriSuites, 8277 Western Way Circle, Jacksonville, FL 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, at (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office

using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The Florida **Real Estate Appraisal Board (FREAB)** announces a meeting to which all persons are invited.

DATE AND TIME: April 6, 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 at (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 to Ashley Dashnaw, Regulatory Specialist III, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors to consider mobile home applications for compensation and relocation due to eviction as a result of land use change.

DATE AND TIME: Wednesday, April 7, 2004, 9:00 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in the use of the land, and such other business as may come before the board. A schedule of the next meeting will be determined.

Additional information may be obtained by contacting: Connie Prince, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317, 1(888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Pursuant to Section 381.90, F.S., the **Florida Health Information Systems Council** will hold a joint telephone conference call and meeting.

DATE AND TIME: March 30, 2004, 2:00 p.m. – 4:00 p.m.

PLACE: Telephone No: (850)410-0966 or SC 210-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: To facilitate the identification, collection, standardization, sharing and coordination of health-related data among federal, state, local, and private entities

Note: The following location has been reserved to provide the option to participants to assemble at a common site for the meeting/conference call: Department of Health, 4052 Bald Cypress Way, Room 205N, Tallahassee, FL 32399

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a task force meeting to be held in Tallahassee, Florida, to which all persons are invited:

DATE AND TIME: April 30, 2004, 9:00 a.m. – 4:00 p.m.

PLACE: Radisson-Tallahassee, 415 N. Monroe Street, Tallahassee, Florida 32301, (850)222-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of draft language about qualified supervision that will provide for adequate cross supervision for clinical social workers, marriage and family therapists, and mental health counselors that focuses on protection of the public.

Further information may be obtained in writing: Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and the evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771.

The **Department of Health, Board of Dentistry**, announces a schedule of official Board meetings to be held via telephone conference call. All interested parties are invited to participate in the telephone conference calls, which are open to the public.

It is anticipated that the Board will not hold meetings on each and every date, but only on those dates when there is a need for discussion.

DATES AND TIME: April 7, 2004, April 14, 2004, April 21, 2004, April 28, 2004, May 5, 2004; 12:00 Noon

PLACE: TELEPHONE NUMBER: Call the Board office at (850)245-4474 to obtain the phone number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the proposed legislation affecting the Board of Dentistry and other general business matters.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 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 at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster.

The Florida **Board of Medicine**, Rules/Legislative Committee Meeting announces weekly telephone conference calls to be held via meet me number.

DATES AND TIME: Tuesdays, April 6, 13, 20, and 27, 2004, 12:00 noon or soon thereafter.

Meet me Number: Contact Florida Board of Medicine at (850)245-4131 for the meet me number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine at (850)245-4131 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is

to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Department of Health, Division of Medical Quality Assurance, Florida Board of Medicine, Probationers' Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2004, 9:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Jane Jordan, Compliance Officer, Department of Health, Division of Medical Quality Assurance, Client Services Unit, 4052 Bald Cypress Way, Bin C-01, Tallahassee, FL 32399-3251.

Please, note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting, he/she will need a record of the proceeding, and for such purpose, he may need to insure that a verbatim proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact Jane Jordan, (850)245-4444, ext. 3546, no later than seven (7) days prior to the meeting at which such special accommodation is required. Hearing- or speech-impaired persons may contact the Compliance Officer at the address noted above; or, via the Florida Dual Party Relay System, (800)955-8771 (TDD) or (800)955-8770 (Voice).

The **Board of Nursing, North Probable Cause Panel** will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: April 12, 2004, 5:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (850)921-6433

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4125 at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing to: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Pharmacy**, announces a public meeting to which all persons are invited.

DATE AND TIME: April 1, 2004, 2:00 p.m.

PLACE: Teleconference Meeting, (850)410-0966, (850)210-0966 Suncom

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to hear the Departments Motion to Reschedule the Informal Hearing for Case # 2003-13012, Department of Health vs Adv-Care Pharmacy, Inc.

A copy of the board agenda materials, which are open to the public, may be obtained by writing to Danna Droz, R.Ph., J.D. Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Pharmacy, Automation in Institutional Settings Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2004, 9:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)819-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss general business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing to Danna Droz, R.Ph., J.D. 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 Physical Therapy** announces a meeting via conference call to which all persons are invited.

DATE AND TIME: April 20, 2004, 11:30 a.m. or soon thereafter.

MEET ME NUMBER: SunCom 278-5778 or Non SunCom (850)488-5778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Education Committee Meeting

A copy of the agenda may be obtained by writing to Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by contacting the board office at (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services** announces the cancellation and rescheduling of the following District 8 Community-Based Care Alliance meeting: Collier Community Alliance:

FORMER DATE AND TIME: December 21, 2004, 12:00 noon.

NEW DATE AND TIME: November 16, 2004, 12:00 noon

PLACE: Collier County Government Complex, 3301 Tamiami Trail East, Building L, Naples, Florida

The **Department of Children and Families**, Mental Health Program Office announces a public meeting:

DATE AND TIME: April 8, 2004, 2:30 p.m. – 4:00 p.m.

PLACE: Department of Children and Families, 160 Governmental Center, Room 101, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: For Re-designation of Baker Act Receiving Facilities

Agenda: 2:30 p.m. – 2:40 p.m. President/CEO, Mental Health Association of West Florida
 2:40 p.m. – 3:10 p.m. Representative of The Pavilion
 3:10 p.m. – 3:40 p.m. Representative of West Florida Community Care Center
 3:40 p.m. – 4:00 p.m. Public Comments
 4:00 p.m. – Adjourn

Comments may be forwarded earlier to: District One, Substance Abuse and Mental Health Program Office, 160 Governmental Center, Suite 713, Pensacola, Florida 32501 or turned in at the meeting, or brief presentations may be made.

Those needing special accommodations due to a disability, contact Cindy Sheffield at (850)595-8104, 72 hours prior to meeting.

The Florida **Department of Children and Family Services**, SunCoast Region Mental Health Program Office, announces the following public forums to which all persons are invited.

Applicants are as listed:

NORTHSIDE MENTAL HEALTH CENTER

DATE AND TIME: April 15, 2004, 1:00 p.m. – 3:00 p.m.

PLACE: Department of Children and Family Services, SunCoast Region, 9393 N. Florida Ave, Room 805, Tampa, FL 33612

The person to be contacted: Jeff Hinton, DCF, (813)558-5709
MENTAL HEALTH CARE, INC.

DATE AND TIME: April 15, 2004, 3:00 p.m. – 5:00 p.m.

PLACE: Department of Children and Family Services, SunCoast Region, 9393 N. Florida Ave, Room 805, Tampa, FL 33612

The person to be contacted: Heather Sniffen, DCF, (813)558-5711

BAYSIDE CENTER FOR BEHAVIORAL HEALTH AND COASTAL BEHAVIORAL HEALTHCARE, INC.

DATE AND TIME: April 22, 2004, 4:00 p.m. – 5:30 p.m.

PLACE: Department of Children and Family Services, Delores G. Dry Service Center, 1864 17th St., Room 301, Sarasota, FL 34234

The person to be contacted: Susan Nunnally, DCF, (941)316-6152

SUNCOAST HOSPITAL

DATE AND TIME: April 23, 2004, 10:00 a.m.

PLACE: Department of Children and Family Services, 11351 Ulmerton Rd., Room 136, Largo, FL 33778

The person to be contacted: Rob Parkinson, DCF, (727)588-7009

MORTON PLANT HOSPITAL

DATE AND TIME: April 23, 2004, 11:00 a.m.

PLACE: Department of Children and Family Services, 11351 Ulmerton Rd., Room 136, Largo, FL 33778

The person to be contacted: Rob Parkinson, DCF, 727-588-7009

MANATEE GLENS CORP. AND MANATEE GLENS HOSPITAL

DATE AND TIME: April 29, 2004, 4:00 p.m. – 5:30 p.m.

PLACE FOR BOTH: Department of Children and Family Services, 303 13th Ave. E., Room 246, Bradenton, FL 34208

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and involvement regarding facilities who are applying for “Baker Act Re-designation” pursuant to Section 394.461, F.S.

Persons needing accommodation to participate in the forum should call at least 3 days in advance of the forums.

The person to be contacted: Susan Nunnally, DCF, (941)316-6152

CLERK OF COURT OPERATIONS

The **Clerk of Court Operations Conference** announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2004, 10:00 a.m. – 3:00 p.m.

PLACE: Planning Commission Meeting Room, 18th Floor, County Center, 601 E Kennedy Boulevard, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Budget Process and other issues

Information regarding the meeting may be obtained by contacting: John Dew, Florida CCOC at (850)386-2223.

FLORIDA MUNICIPAL LOAN COUNCIL

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Tuesday, April 13, 2004, 4:00 p.m. or immediately upon adjournment of the Florida League of Cities’ Board of Directors meeting, which begins at 2:00 p.m.

PLACE: Third Floor Conference Room, Florida League of Cities’ Building (Citizen Centre-Kleman Plaza), 301 S. Bronough Street, Suite 300, Tallahassee, Florida 32302, (850)222-9684

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, x277.

FLORIDA MUNICIPAL INVESTMENT TRUST

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited:

DATE AND TIME: Tuesday, April 13, 2004, 4:30 p.m., or immediately upon adjournment of the Florida Municipal Loan Council meeting at 4:00 p.m.

PLACE: Third Floor Conference Room, Florida League of Cities’ Building (Citizen Centre-Kleman Plaza), 301 S. Bronough Street, Suite 300, Tallahassee, Florida 32302, (850)222-9684

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

A copy of the meeting agenda may be obtained by contacting Jeannie Hagan, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, x 277.

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council, Inc.** announces the following public forums for comments on the 2004-2007 State Plan for Independent Living (SPIL):

DATE AND TIME: Friday, April 2, 2004, 5:30 p.m. – 7:00 p.m.

PLACE: Center for Independent Living of Northwest Florida, Pensacola City Hall, 180 Governmental Center, 2nd Floor of Hagler-Mason Auditorium, Pensacola, Florida 32502, (850)595-5566 Voice/TDD, (877)245-2457 Toll Free, (850)595-5560 FAX

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain public comments on the next three year State Plan for Independent Living.

A copy of the goals and objectives for the State Plan may be obtained by contacting the Florida Independent Living Council, Inc. at 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, telephone (850)488-5624.

Any person who needs an accommodation to participate in this meeting because of a disability should submit a request for such accommodation in writing at least one week before the meeting date.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

DUVAL COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Duval County Research and Development Authority** announces a shade meeting to be held:

DATE AND TIME: April 5, 2004, 1:30 p.m.

PLACE: City Hall Annex, 15th Floor-Committee Room, 220 East Bay Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss litigation settlement negotiations or strategy as described below.

In accordance with Section 286.011(8), Florida Statutes, the Duval County Research and Development Authority (the "Authority") will hold a shade meeting on the above date and at the above time and location, to consider settlement negotiations or strategy related to the following matter: Duval County Research and Development Authority vs. Phillip B. Phillips, Jr. and Phillips American Finance Corp., D/B/A Phillips & Company

Following the commencement of the meeting, the governing body will move into a closed attorney-client session pursuant to Section 286.011(8), Florida Statutes, and only the following listed persons will be entitled to attend this session: Member and Chair Patrick Cusick; Member Marcia Parker-Tjoflat; Member Henry Luke; Member Alford Sinclair; Member James Cobb; Ex-Officio Member John Delaney; Executive Director Earle Traynham; Richard R. Mullaney, General Counsel; Cindy Laquidara, Chief Deputy General Counsel; John F. Germany, Jr., Assistant General Counsel; Alan S. Wachs, Esq., Counsel; Karen Stone, Counsel; Court Reporter.

FLORIDA FUNDING CORPORATION

The Board of Directors of the **Scripps Florida Funding Corporation** announces a meeting of the Audit Committee to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Thursday, April 22, 2004, 2:00 p.m.

PLACE: 505 South Flagler Drive, 8th Floor Conference Room, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be to discuss the roles and responsibilities of the Audit Committee.

The date, time, and/or place are subject to change. Please check <http://www.myflorida.com/myflorida/government/governorinitiatives/otted/index.html> for meeting date, time, place, and materials.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact: jennie.young@myflorida.com at least 48 hours in advance of the meeting.

FLORIDA TELECOMMUNICATIONS RELAY, INC.

The **Florida Telecommunications Relay, Inc.** announces a regular meeting to which all persons are invited.

DATE AND TIME: Monday, March 29, 2004, 10:00 a.m.

PLACE: Board of Directors, 1820 E. Park Avenue, Suite 101, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Board of Directors

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, Florida 32301. The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on March 11, 2004, from the Miami-Dade Building Department, Herbert S. Saffir Permitting and Inspection Center, regarding the review and inspection of fire suppression systems by the building official pursuant to the requirements of the Florida Building Code.

It has been assigned the number DCA04-DEC-064.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on March 15, 2004, from Lisa Blackstone, V.P., Close It!, L.L.C. regarding a determination whether the Automatic Sliding Glass Door Closing System is a Structural Component under Rule 9B-72, Florida Administrative Code.

It has been assigned the number DCA04-DEC-066.

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.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that the Florida Department of Transportation received a Petition for Declaratory Statement from Agricultural Land Services, Inc. on March 12, 2004. The Petition requests that the Department of Transportation declare that Section 316.302(2)(e), Florida Statutes, applies to

Agricultural Land Services, Inc., and exempts it from certain regulations otherwise applying to commercial motor vehicles operating in interstate commerce.

A copy of the Petition may be obtained from the Clerk of Agency Proceedings, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458.

For additional information, contact: J. Ann Cowles, Assistant General Counsel, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, or by telephone at (850)414-5294.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration issued a Final Order on March 10, 2004 on a Petition for Declaratory Statement from Gambro Healthcare Laboratory Services, Inc. The petitioner requested a declaratory statement from the Agency concerning the interpretation of Section 483.245, Florida Statutes and paragraph 59A-7.020(13)(g), Florida Administrative Code, as they applied to Gambro Healthcare Laboratory Services, Inc. for its activities relating to out-of-state patients and out-of-state health care providers. The Agency found Section 483.245, Florida Statutes and paragraph 59A-7.020(13)(g), Florida Administrative Code, would not apply to the business proposal described in the petition.

A copy of the petition and Final Order may be obtained by contacting: Patricia L. James, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #32, Tallahassee, FL 32308, or jamesp@fdhc.state.fl.us.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Nathan D. Gold, Unit Owner, Kings Point Housing Corporation. Docket Number 2004004057.

The Petitioner request a declaratory statement as to whether Kings Point Community Association, Inc. is subject to Chapter 718, F.S., and, if so: (1) whether it must respond to condominium unit owner inquiries under Section

718.112(2)(a)2., F.S.; (2) whether the directors owe a fiduciary duty to the unit owners under Section 718.111(1)(a), F.S. to obtain insurance on the recreational facilities that names individual owners as additional insureds under a casualty and liability policy; and (3) whether the warranty protections under Section 718.203, F.S. extend to recreational facilities during developer control or after turnover to owners in 2012 when all the agreements for deed to the recreational areas have matured A copy of the Petition for Declaratory Statement, Docket Number 2004004057, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Robert W. Meyer, Unit Owner, South Seas Northwest Condominium Apartments of Marco Island, Inc, Docket Number 2004003287.

The Petitioner requests a declaratory statement as to whether under Section 718.112(2)(a)2., Florida Statutes, an association is precluded from recovering its attorneys fees and costs if it does not provide a written substantive response to a unit owner’s request to review association records made under Section 718.111(12), Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number 2004003287, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1029.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a declaratory statement In Re: Petition for Declaratory Statement, Emil A. Pavone, Jr., and Mr. William H. Mills, Sr., Bayfront Tower Condominium Association Residential, Inc. Docket Number 2003094710.

The Division has determined, based upon the findings of fact and conclusions of law, it is declared that all committee meetings of Bayfront Tower where association business is discussed, must be noticed as board meetings where a quorum of the board of directors will be in attendance, and an agenda for such a board meeting must be given with the notice, pursuant to Section 718.112(2)(c), Florida Statutes.

A copy of the Declaratory Statement, Docket Number 2003094710, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1029.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received a withdrawal of request for declaratory statement In Re: Petition for Declaratory Statement, Brian Dowd, Unit Owner, Woodlands at Church Lake, L.L.C. Docket Number 2004001897.

Petitioners phoned and withdrew petition because property owner was complying. Issue moot.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a denial for declaratory statement In Re: Petition for Declaratory Statement, Frank Musumeci, Association Representative, Maya Marca Condominium Apartments, Inc. Docket Number 2003091794.

The petition was denied under Section 120.565, Florida Statutes, because petitioner did not seek an application of a statute, rule or order to his particular circumstances but requested legal advise as to an interpretation of association bylaws.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, James E. Olsen, Petitioner, The Village Condominium Association, Inc., Docket Number 2003039846. The Petitioner request a declaratory statement as to whether an association may specially assess the unit owners pursuant to Section 718.112(2)(g), Florida Statutes, for major repairs and the payment to the division where its declaration, recorded in

1973, does not expressly empower the association to levy special assessments, but does provide for annual and emergency assessments.

A copy of the Petition for Declaratory Statement, Docket Number 2003039846, may be obtained by writing to the Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a denial for declaratory statement In Re: Petition for Declaratory Statement, Richard Huseby, Jerry McManamon, Larry Dutton, Judy Madia and Marilyn Wilson, et al, Seven Springs Villas Association, Inc., Docket Number 2003090282. The petition was denied by the Division because the issue has been addressed by a circuit court and the case is still pending final resolution as to some of the unit owners.

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 Psychology hereby gives notice that it has received a Petition for Declaratory Statement filed by Nicole Robichaux-Keene, Psy.D., seeking interpretation of subsection 64B19-11.005(2), Florida Administrative Code, with respect to the 2000 supervised post doc hours. Comments on this petition should be filed with the Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, with 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.

The Board of Psychology hereby gives notice that the petition filed on behalf of Gregg Hinz, Psy.D., on November 4, 2003, seeking a declaratory statement of Section 490.014(2)(e), Florida Statutes, has been withdrawn. The Notice of Petition was published in Vol. 29, No. 48 of the November 26, 2003 issue of the Florida Administrative Weekly.

The person to be contacted regarding this matter is: Kaye Howerton, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that professional services for minor projects are required in the discipline(s) of architecture.

Minor projects are specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for minor projects provide that the consultant will be

available on an as-needed basis. The University intends to award contracts to up to five firms for an initial period of one year beginning on or about July 1, 2004 and ending June 30, 2005 with an option to renew for two additional one year periods.

INSTRUCTIONS:

Firms desiring to provide professional services shall apply by letter specifying the campus service agreement for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Florida State University "Professional Qualifications Supplement," August 8, 2003. Applications on any other form, on versions dated prior to 8/08/03 or exceeding the 40 page limit will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered in the State of Florida to practice the required profession at the time of application. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for campus service projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained through our website, www.vpfa.fsu.edu/fpc, or by contacting:

Lynetta Mills, Facilities Design & Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile

For further information on campus service projects, contact: Betsy Parks, Project Administrator, at the address and phone listed above.

Submittals must be received at the above location, by 2:00 p.m., local time, on Tuesday, April 27, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the project listed below:

Project and Location: Minor Projects at Florida State University, Tallahassee, Florida

Project Description: The construction manager will be a single point of responsibility for performance of minor project construction contracts, functioning as an independent contractor; publicly bidding trade contracts. A minor project is defined as a project with a construction budget estimated to be less than \$1,000,000. Accordingly, the selected firm(s) minimum bonding capacity should be \$1,000,000 and be sufficient to contract multiple concurrent projects. The University intends to award contracts to up to five firms for an initial period of one year beginning on or about July 1, 2004 and ending June 30, 2005 with an option to renew for two additional one year periods.

Selection of finalists for interviews will be made on the basis of construction manager 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; qualification of the firm's personnel, staff and consultants. Finalists will be provided with a description of the final interview requirements and a copy of the standard State University System's construction management agreement for minor projects. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the architect/engineers under contract with the University to provide services on minor projects.

INSTRUCTIONS:

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Florida State University "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager 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 general contractors in the State of Florida at the time of application. 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 construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract

with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Florida State University Construction Manager Qualifications Supplement form and the Project Fact Sheet may be obtained on line at www.fpc.fsu.edu or by contacting:

Lynetta Mills, Facilities Design & Construction, 109 Mendenhall Maintenance, Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile

For further information on campus service projects, contact: Sallie Dixon, Project Administrator, at the address and phone number listed above.

Five (5) bound copies of the required proposal data shall be submitted. Submittals must be received at the above location by 2:00 p.m., local time, on Wednesday, April 28, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-288

Project and Location: Administrative Services Center
Florida State University
Panama City Campus
Panama City, Florida

The project consists of the construction of a new 14,250 GSF multi-purpose building to house and consolidate functions and personnel for Facilities, Operations & Maintenance, Police and Safety, and Shipping/Receiving/Postal services. The project will construct new facilities and integral site work at a location selected within the Panama City Campus Service Zone. Types of space to be constructed include: offices, workshops, warehouse, locker rooms, and an exercise area. The selected firm will provide design, construction documents and administration for the referenced project which is budgeted at \$2,171,025 for construction. The project delivery system will be Construction Management. Blanket professional liability insurance will be required for this project in the amount of \$250,000 and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed Florida State University "Professional Qualifications Supplement," dated August 8, 2003. Applications on any other form, or on versions dated prior to 8/08/03, will not be considered.

- 2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for Florida State University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained through our website, www.fpc.fsu.edu, or by contacting: Lynetta Mills, Facilities Planning & Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile

For further information on the project, contact: Kim Strobel-Ball, Project Manager, at the address and phone listed above.

Submittals must be received in the above office, by 2:00 p.m., local time, on Friday, April 23, 2004. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS
OFFICE OF FACILITIES PLANNING AND
CONSTRUCTION
FOR
Request for Qualifications (RFQ)
Professional Services
Architect/Engineering Services

The Office of Facilities Planning and Construction announces that Architect/Engineer services are required for a project entitled District-wide Roof Replacement, Project No. M-87900, Stage II for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately, Budgeted Not to Exceed \$1,592,000.00 CONSTRUCTION BUDGET.

The project scope shall consist of removal of the entire old built-up and modified roof systems at J.E.B. Stuart Middle School No. 207 and replacement with a new Modified Bitumen Roof System and insulation as needed. Minor deck and roofing repairs to the existing walkway canopy will also be part of the scope of work. All work associated with the installation of the new roof system will be included as part of the contract.

Applications are to be sent to: Duval County Public Schools, Facilities Planning & Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182

PROJECT MANAGER: Dale Hughes

PHONE NO.: (904)858-6300

RESPONSE DUE DATE: RFQ's ARE DUE ON OR BEFORE APRIL 26, 2004 AND WILL BE ACCEPTED UNTIL 4:30 P.M.

MBE GOALS: Encouragement Plan

Information on the selection process can be found at www.educationcentral.org/facilities under Forms and Standards, General Documents, Selection of Architect/Engineer.

Applicants are advised that all plans, drawings and specifications for this project may be reused by the Owner as a prototype for future projects in the District.

NOTICE OF CHANGE – The Hernando County School Readiness Coalition, Inc., announces a notice of change in the Request for Proposal that was advertised on March 19, 2004, Vol. 30, No. 12, date for submission of the Letter of Intent has been extended to April 1, 2004.

Please call Jo-Ann Kay Fuller at (352)797-9141 for further information.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF CORRECTION TO THE NOTICE OF APPLICATION PERIOD – The FLORIDA COMMUNITIES TRUST (Trust) announces an application period for receiving applications from local governments and non-profit environmental organizations requesting funding awards from the Trust's Florida Forever Program.

DEADLINE: The correct deadline for submitting applications shall be 6:00 p.m. (EDT) on Wednesday, May 5, 2004. Applications must be received by the Florida Communities Trust by the above stated deadline. Applications received after the published deadline shall be deemed late and will not be considered by the Trust.

APPLICATION FORMS: Applications for funding must be made on Application Form FF-2 (Effective 5/20/02), following procedures in Rule Chapter 9K-7, F.A.C. Copies of the rule chapter and application form may be obtained by visiting the Trust website at www.dca.state.fl.us/ffct, calling

(850)922-2207 (SunCom 292-2207) or by writing to Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

ADDRESS: For mail and carrier service deliveries, the delivery address is Florida Communities Trust, 2555 Shumard Oak Boulevard, Suite 310, Tallahassee, FL 32399-2100. For hand deliveries, the delivery location is Suite 310, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL.

FUNDS AVAILABLE: Funds available for awards will derive from Florida Forever bond proceeds. As of the date of submittal of this Notice, the Trust expects that up to \$66,000,000.00 will be available for use in this funding cycle, unless otherwise allocated by the Legislature.

LOCAL MATCH: Section 259.105(3)(c), F.S. requires that of the funds allocated to the Trust and used for land acquisition, 75 percent shall be matched by local governments on a dollar-for-dollar basis. Paragraph 9K-7.003(4)(c), F.A.C., allows 100 percent grant funding to counties with populations under 75,000, municipalities with populations under 10,000 and eligible nonprofit environmental organizations. All other applicants shall provide a minimum of 25 percent match toward project costs.

LIMITS ON AWARDS: Under the provisions of subsection 9K-7.003(3), F.A.C., the total amount of any award or combination of awards applied for by any local government or nonprofit environmental organization under any application(s) or partnership application(s) for any project(s) shall not exceed ten percent (10%) of the total Florida Forever funds available as stated above. All awards for partnership applications, for the purposes of calculating award limits, shall be divided equally among the local government or nonprofit environmental organization. Based upon the funds known to be available as of the date of this notice, the limit to any local government or nonprofit environmental organization shall be \$6,600,000.00.

MORE INFORMATION: Interested parties may obtain more information from the Trust website at www.dca.state.fl.us/ffct, by contacting the Florida Communities Trust at 850/922-2207 (SunCom 292-2207) or by writing the above stated address.

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 restoration and improvement activities at Royal Springs in Suwannee County. These restoration activities include, but are not limited to, constructing concrete walkways, wooden stairs and landings, earthwork, fencing, slope stabilization, and planting. Estimated cost is \$130,000. There is a mandatory pre-bid meeting.

PROJECT TITLE: Royal Springs Park Improvements

PROJECT NUMBER: RFB 03/04-021 RM

PROJECT LOCATION: The project is located at Royal Springs on the Suwannee River in Suwannee County at the intersection of 157th Lane and 198th Trail. A location map is included with the plans.

PRE-BID MEETING: A mandatory pre-bid meeting is scheduled for 10:00 a.m., April 14, 2004, at the boat ramp at Royal Springs. Bidders are encouraged to inspect the work site prior to the pre-bid meeting. Bidders must sign in at the pre-bid meeting.

BID DOCUMENTS: Any individual or firm desiring to bid on this project may obtain a copy of the Plans, Specifications and Request for Bid in PDF format from the District's website at www.mysuwanneeriver.com. Alternatively, a copy of the full size plans and specifications may be obtained at a cost of approximately \$30.00 by contacting Hunter Printing Co., 2410 First Street, Lake City, Florida 32025, telephone (386)752-2707.

BID DATE AND TIME: Sealed bids will be received until 4:00 p.m. on Friday, April 30, 2004, at the Suwannee River Water Management District office, 9225 County Road 49, Live Oak, Florida 32060. Clearly label all bids, "Royal Springs Park Improvements, RFB No. 03/04-021 RM". Bids must be submitted in full accordance with the requirements of the drawings, specifications, and bid documents. Faxed bids will not be accepted. All contractors that are interested in bidding must be represented at the pre-bid meeting.

Any questions regarding this project should be directed to Barney Bennette or Sandi Keiser at the District, (386)362-1001 or 1(800)226-1066.

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

**RE-ADVERTISEMENT
NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR
ARCHITECTURE – ENGINEERING
CONTINUING CONTRACT**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction announces that professional services are required for the project listed below. Applications are to be sent to Mr. John Hayes, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin B #06, Tallahassee, Florida 32399-1734, phone (850)245-4444 ext. 3165

PROJECT NUMBER: TBA

PROJECT NAME: Architectural/Engineering Continuing Contract, Southwest Florida Catchment Area

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: Multiple projects as required by the Department with individual project construction budgets not to exceed \$1,000,000. Depending on development of projects and funding the possibility exists that the contract may expire with no projects being assigned. Work may include all aspects of Architectural projects and attendant Engineering to provide for construction of new facilities (satellite County Health Department Facilities, Support structures, etc.), repair and renovation to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, and minor Studies (Study fee not to exceed \$50,000). Service Area shall be the Southwest Florida Catchment Area and other locations as determined to be in the best interests of the Department of Health. The Southwest Florida Catchment area shall include the following counties: Pasco, Hillsborough, Pinellas, Polk, Manatee, Hardee, Sarasota, DeSoto, Highlands, Charlotte, Glades, Lee and Hendry. Continuing Contracts selection is for a contract period of one year, renewable annually for up to two years at the discretion of the Department of Health.

RESPONSE DUE DATE: By 4:00 p.m., April 2, 2004, Local Time.

NOTE: Professional Consultant’s proposals received in response to the original advertisement of this Project, published February 27, 2004 issue, Vol. 30, No. 9, will be included in this selection process. Those consultants need not provide an additional proposal.

INSTRUCTIONS: Submit three (3) bound copies of the following:

1. Letter of interest.

2. A modified copy of Department of Management Services Professional Qualifications Supplement [October 1997 Edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)245-4444 ext. 3168.
3. A copy of the firm’s Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 254.
6. Completed Standard Form 255.
 - ♦ In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.
7. A stamped self-addressed envelope if you desire notice of selection results.

* Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

**RE-ADVERTISEMENT
NOTICE TO PROFESSIONAL CONSULTANTS
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES FOR
ARCHITECTURE – ENGINEERING
CONTINUING CONTRACT**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction announces that professional services are required for the project listed below. Applications are to be sent to Mr. Jack Durre’, Senior Architect, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, Bin B #06, Tallahassee, Florida 32399-1734, phone (850)245-4444 ext. 3167

PROJECT NUMBER: TBA

PROJECT NAME: Architectural/Engineering Continuing Contract, South Florida Catchment Area

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: Multiple projects as required by the Department with individual project construction budgets not to exceed \$1,000,000. Depending on development of projects and funding the possibility exists that the contract may expire with no projects being assigned. Work may include all aspects of Architectural projects and attendant Engineering to provide for construction of new facilities (satellite County Health Department Facilities, Support structures, etc.), repair and renovation to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, and minor Studies (Study fee not to exceed \$50,000). Service area shall be the South Florida Catchment Area and other locations as determined to be in the best interests of the Department of Health. The South Florida Catchment area shall include the following counties: Palm Beach, Broward, Dade, Collier and Monroe. Continuing Contracts selection is for a contract period of one year, renewable annually for up to two years at the discretion of the Department of Health.

RESPONSE DUE DATE: By 4:00 p.m., April 2, 2004, Local Time.

NOTE: Professional Consultant's proposals received in response to the original advertisement of this Project, published February 27, 2004 issue, Vol. 30, No. 9, will be included in this selection process. Those consultants need not provide an additional proposal.

INSTRUCTIONS: Submit three (3) bound copies of the following:

1. Letter of interest.
2. A modified copy of Department of Management Services Professional Qualifications Supplement [October 1997 Edition of the Professional Qualifications Supplement (PQS)]. A copy can be obtained from the Department of Health by calling (850)245-4444 ext. 3168.
3. A copy of the firm's Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 254.
6. Completed Standard Form 255.
 - ♦ In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.
7. A stamped self-addressed envelope if you desire notice of selection results.

* Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications that do not comply with the instructions

set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

TAMPA INTERNATIONAL AIRPORT

**NOTICE TO LAND SURVEYING AND MAPPING FIRMS
HILLSBOROUGH COUNTY AVIATION AUTHORITY**
The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, letters of interest from land surveying and mapping firms or individuals desiring to render professional services for the following project:

LAND SURVEYING AND MAPPING SERVICES

Services to be furnished shall include, but not be limited to, all aspects of surveying to support architectural and engineering design related to particular capital improvement projects and as needed to support property acquisition. All survey work must be accomplished in accordance with the Florida minimum technical standards for land surveying and mapping.

Qualified firms desiring consideration to provide these services should give written notification in the form of a letter of interest to: Dan Noettl, Manager, Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622. The letters of interest must be received at or before 5:00 p.m. local time, Wednesday, April 7, 2004.

Additional information is available on the Authority's website at www.tampaairport.com; Contracts & Business Information, RFP/RFQ/RFI Information.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

By: /s/ Louis E. Miller

Louis E. Miller, Executive Director

**Section XII
Miscellaneous**

DEPARTMENT OF EDUCATION

Legal Announcement

Request for Applications for Available Funding

The Florida Department of Education, Division of Community Colleges and Workforce Education announces the availability of instructions and forms for preparing project applications for funding under the Adult Education and Family Literacy Act of 1998, (Public Law 105-220).

The proposed due date for applications is projected for May 7, 2004. Follow the guidelines on each individual Request for Proposal/Application (RFP/RFA) as due dates may vary, depending on final approval and web posting date.

Through the competitive review process, eligible applicants are assured direct and equitable access to apply for funds. All federally funded projects must comply with the Steven’s Amendment of the Department of Defense Appropriation Act (Section 8136).

Mail applications to:

Sue Wilkinson
Florida Department of Education
Bureau of Grants Management
325 W. Gaines Street, Room 325 B
Tallahassee, Florida 32399-0400

For application instructions and forms:

Internet – <http://www.firm.edu/doi/workforce>

Hardcopy or formats for the disabled; – telephone
1(800)342-9271

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA04-OR-063

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: CITY OF KEY WEST LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF KEY WEST ORDINANCE
NO. 04-02

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2003), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On January 12, 2004, the Department received for review City of Key West Ordinance No. 04-02, which was adopted by the City of Key West City Commission on January 21, 2004 (“Ord. 04-02”). Ord. 04-02 amends Chapter 122, Zoning, of the Key West Code of Ordinances. Ord. 04-02 provides regulations applicable to the Key West Golf Club in the Planned Redevelopment/Development District.
3. Ord. 04-02 is consistent with the City’s Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. §§ 380.05(6) and 380.05(11), Fla. Stat., (2003).

7. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2003) and Rule 28-36.001, F.A.C.

8. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2003). The regulations adopted by Ord. 04-02 are land development regulations.

9. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the “Principles”). § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), F.A.C.

10. Ord. 04-02 promotes and furthers the following Principles in subsection 28-36.003(1), F.A.C.:

- (a) To strengthen local government capabilities for managing land use and development.
- (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.

12. Ord. 04-02 is not inconsistent with the remaining Principles. Ord. 04-02 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 04-02 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

VALERIE J. HUBBARD, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569,

FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of March, 2004.

Paula Ford, Agency Clerk

By U.S. Mail:

The Honorable Jimmy Weekley
Mayor, City of Key West
P.O. Box 1409
Key West, Florida 33041

Cheryl Smith
Clerk to the City Commission
P.O. Box 1409
Key West, Florida 33041

Robert Tischenkel
City Attorney
P.O. Box 1409
Key West, FL 33041

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and

Airports” and Chapter 14-60, Florida Administrative Code, “Airport Licensing, Registration, and Airspace Protection” for the following site:

St. Lucie Medical Center, a private airport, in St. Lucie County, at Latitude 27° 17' 18" and Longitude 80° 17' 37", to be owned and operated by Mr. Harold Lacy, St. Lucie Medical Center, 1800 S.E. Tiffany Avenue, Port St. Lucie, FL 34952.

A copy of the Airport Site Approval Order, the Airport’s application, the applicable rules, and other pertinent information may be obtained by contacting Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; (850)414-4500; aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Redneck Engineering, intends to allow the establishment of Spanos Cycles, as a dealership for the sale of Redneck motorcycles, at 921 West International Speedway, Daytona Beach, (Volusia County), Florida 32114, on or after February 18, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Spanos Cycles are dealer operator(s) and principal investor(s): Alex Spanos, 921 West International Speedway, Daytona Beach, FL 32114.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Carla Doll, Redneck Engineering, 107 Nix Rd., Liberty, SC 29657.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant’s compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Global Electric Motorcars, LLC, intends to allow the establishment of Arrigo Enterprises, Inc. as a dealership for the sale of GEM cars, at 6500 Okeechobee Blvd., West Palm Beach (Palm Beach County), Florida 33411, on or after April 1, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Arrigo Enterprises, Inc. are dealer operator(s) and principal investor(s): James J. Arrigo, 6500 Okeechobee Blvd., West Palm Beach, FL 33411.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mary C. Johnson, Controller, Global Electric Motorcars, LLC, 1301 39th Street N.W., Suite 2, Fargo, ND 58102.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Vengeance Performance Products, LLC intends to allow the establishment of Harley Davidson of Ft. Lauderdale, as a dealership for the sale of Vengeance motorcycles, at 2871 North Federal Highway, Ft. Lauderdale (Broward County), Florida 33306, on or after April 12, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Harley Davidson of Ft. Lauderdale are dealer operator(s): Bruce Rossmeyer, 2871 North Federal Highway, Ft. Lauderdale, FL 33306; principal investor(s): Bruce Rossmeyer and Terry Taylor, 2871 North Federal Highway, Ft. Lauderdale, FL 33306.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Eric P. Beatty, General Counsel for Vengeance Performance Products, LLC, 2151 Convention Center Way West Wing, Suite 120, Ontario, CA 91764.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Ducati North America, Inc., intends to allow the establishment of Motorsports of Miami, LLC as a dealership for the sale of Ducati motorcycles, at 11995 S.W. 222nd Street, Miami (Dade County), Florida 33170, on or after November 18, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports of Miami, LLC are dealer operator(s): John Hamer, 11640 S.W. 64th Ave., Pinecrest, FL 33156 and Rodin Younessi, 7620 Eagle Point Drive, Delray Beach, FL 33446; principal investor(s): Motorsports Investment Group, Inc., John Hamer, 11640 S.W. 64th Ave., Pinecrest, FL 33156 and Rodin Younessi, 7620 Eagle Point Drive, Delray Beach, FL 33446.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Katie Freitag, Dealer Development Coordinator, Ducati North America, Inc., 10443 Bandlely Drive, Cupertino, CA 95014.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF BATCHED APPLICATION RECEIPT
AND

NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received the following Certificate of Need applications for review in the batched Hospital Beds & Facilities review cycle with an application due date of March 10, 2004. Pending an acceptable response to any omitted elements, applications will be deemed complete on April 14, 2004.

County: Escambia District: 1

CON #: 9745 Application Receipt Date: March 10, 2004
Facility/Project: SemperCare Hospital of Pensacola, Inc.
Applicant: SemperCare Hospital of Pensacola, Inc.
Project Description: Establish a long-term care hospital of up to 40 beds at Baptist Hospital
County: Escambia District: 1

CON #: 9746 Application Receipt Date: March 10, 2004
Facility/Project: Select Specialty Hospital-Escambia, Inc.
Applicant: Select Specialty Hospital-Escambia, Inc.
Project Description: Establish a long-term care hospital of up to 60 beds
County: Alachua District: 3

CON #: 9748 Application Receipt Date: March 10, 2004
Facility/Project: Select Specialty Hospital-Alachua, Inc.
Applicant: Select Specialty Hospital-Alachua, Inc.
Project Description: Establish a long-term care hospital of 44 beds
County: Levy District: 3

CON #: 9750 Application Receipt Date: March 10, 2004
Facility/Project: Tri-County Hospital, LLC
Applicant: Tri-County Hospital, LLC
Project Description: Establish a 32-bed acute care hospital
County: Marion District: 3

CON #: 9747 Application Receipt Date: March 10, 2004
Facility/Project: Ten Broeck Central Florida, Inc.
Applicant: Ten Broeck Central Florida, Inc.
Project Description: Establish an adult psychiatric hospital of up to 46 beds
County: Marion District: 3

CON #: 9749 Application Receipt Date: March 10, 2004
Facility/Project: Kindred Hospitals East, L.L.C.
Applicant: Kindred Hospitals East, L.L.C.
Project Description: Establish a long-term care hospital of 31 beds
County: Duval District: 4

CON #: 9752 Application Receipt Date: March 10, 2004
Facility/Project: Select Specialty Hospital-Duval, Inc.
Applicant: Select Specialty Hospital-Duval, Inc.
Project Description: Establish a long-term care hospital of up to 40 beds at Shands-Jacksonville Medical Center
County: Duval District: 4

CON #: 9751 Application Receipt Date: March 10, 2004
Facility/Project: Ten Broeck Jacksonville, LLC

Applicant: Ten Broeck Jacksonville, LLC
Project Description: Establish a specialty hospital of up to 20 adult psychiatric beds through delicensure of an equivalent number of psychiatric beds at Ten Broeck Hospital
County: Pasco District: 5

CON #: 9754 Application Receipt Date: March 10, 2004
Facility/Project: University Community Hospital, Inc.
Applicant: University Community Hospital, Inc.
Project Description: Establish a long-term care hospital of up to 80 beds
County: Pinellas District: 5

CON #: 9753 Application Receipt Date: March 10, 2004
Facility/Project: Baycare Long Term Acute Care, Inc.
Applicant: Baycare Long Term Acute Care, Inc.
Project Description: Establish a long-term care hospital of up to 100 beds
County: Hillsborough District: 6

CON #: 9755 Application Receipt Date: March 10, 2004
Facility/Project: Baycare Long Term Acute Care, Inc.
Applicant: Baycare Long Term Acute Care, Inc.
Project Description: Establish a long-term care hospital of up to 90 beds
County: Hillsborough District: 6

CON #: 9758 Application Receipt Date: March 10, 2004
Facility/Project: University Community Hospital
Applicant: University Community Hospital, Inc.
Project Description: Add 10 comprehensive medical rehabilitation beds
County: Polk District: 6

CON #: 9756 Application Receipt Date: March 10, 2004
Facility/Project: SemperCare Hospital of Lakeland, Inc.
Applicant: SemperCare Hospital of Lakeland, Inc.
Project Description: Establish a long-term care hospital of up to 40 beds at Lakeland Regional Medical Center
County: Polk District: 6

CON #: 9757 Application Receipt Date: March 10, 2004
Facility/Project: Select Specialty Hospital-Marion, Inc.
Applicant: Select Specialty Hospital-Marion, Inc.
Project Description: Establish a long-term care hospital of up to 44 beds
County: Brevard District: 7

CON #: 9761 Application Receipt Date: March 10, 2004
Facility/Project: Wuesthoff Medical Center – Rockledge

Applicant: Wuesthoff Memorial Hospital, Inc.
 Project Description: Add up to 50 acute care beds
 County: Brevard District: 7
 CON #: 9760 Application Receipt Date: March 10, 2004
 Facility/Project: Wuesthoff Medical Center – Melbourne
 Applicant: Wuesthoff Memorial Hospital, Inc.
 Project Description: Add up to 50 acute care beds
 County: Brevard District: 7
 CON #: 9759 Application Receipt Date: March 10, 2004
 Facility/Project: Holmes Regional Medical Center
 Applicant: Holmes Regional Medical Center, Inc.
 Project Description: Establish an acute care hospital of 84 beds
 County: Osceola District: 7
 CON #: 9762 Application Receipt Date: March 10, 2004
 Facility/Project: Osceola Regional Medical Center
 Applicant: Osceola Regional Hospital, Inc.
 Project Description: Add up to 20 acute care beds
 County: Osceola District: 7
 CON #: 9763 Application Receipt Date: March 10, 2004
 Facility/Project: Osceola Regional Medical Center
 Applicant: Osceola Regional Hospital, Inc.
 Project Description: Add up to four Level II NICU beds
 County: Lee District: 8
 CON #: 9764 Application Receipt Date: March 10, 2004
 Facility/Project: Select Specialty Hospital – Lee, Inc.
 Applicant: Select Specialty Hospital – Lee, Inc.
 Project Description: Establish a long-term care hospital of up to 60 beds
 County: Lee District: 8
 CON #: 9766 Application Receipt Date: March 10, 2004
 Facility/Project: Southwest Florida Regional Medical Center, Inc.
 Applicant: Southwest Florida Regional Medical Center, Inc.
 Project Description: Construct replacement hosp. of up to 400 acute care beds & cardiac/transplant services at Gulf Coast Hosp. thru delicensure of 110 acute/10 SNF beds at Gulf Cst
 County: Lee District: 8
 CON #: 9765 Application Receipt Date: March 10, 2004
 Facility/Project: Long Term Care Hospital of SW Florida, Inc.
 Applicant: Long Term Care Hospital of SW Florida, Inc.
 Project Description: Establish a long-term care hospital of 35 beds

County: Sarasota District: 8
 CON #: 9768 Application Receipt Date: March 10, 2004
 Facility/Project: North Port HMA, Inc.
 Applicant: North Port HMA, Inc.
 Project Description: Establish an acute care hospital of 80 beds
 County: Sarasota District: 8
 CON #: 9767 Application Receipt Date: March 10, 2004
 Facility/Project: Manatee Memorial Hospital, L.P.
 Applicant: Manatee Memorial Hospital, L.P.
 Project Description: Establish a acute care hospital of 120 beds
 County: Palm Beach District: 9
 CON #: 9770 Application Receipt Date: March 10, 2004
 Facility/Project: Kindred Hospitals East, L.L.C.
 Applicant: Kindred Hospitals East, L.L.C.
 Project Description: Establish a long-term care hospital of 70 beds
 County: Palm Beach District: 9
 CON #: 9771 Application Receipt Date: March 10, 2004
 Facility/Project: Wellington Regional Medical Center
 Applicant: Wellington Regional Medical Center, Inc.
 Project Description: Establish a Level III NICU of 15 beds
 County: Palm Beach District: 9
 CON #: 9769 Application Receipt Date: March 10, 2004
 Facility/Project: Select Specialty Hospital – Palm Beach, Inc.
 Applicant: Select Specialty Hospital – Palm Beach, Inc.
 Project Description: Establish a long-term care hospital of 60 beds
 County: St. Lucie District: 9
 CON #: 9772 Application Receipt Date: March 10, 2004
 Facility/Project: Martin Memorial Medical Center, Inc.
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Establish an acute care hospital of up to 80 beds
 County: Dade District: 11
 CON #: 9774 Application Receipt Date: March 10, 2004
 Facility/Project: Mount Sinai Medical Center & Miami Heart Institute
 Applicant: Mount Sinai Medical Center of Florida, Inc.
 Project Description: Add 22 comprehensive medical rehabilitation beds through delicensure of existing acute care beds

County: Dade District: 11
CON #: 9776 Application Receipt Date: March 10, 2004
Facility/Project: South Miami Hospital
Applicant: South Miami Hospital, Inc.
Project Description: Establish a 4-bed Level III NICU through delicensure of 4 acute care beds

County: Dade District: 11
CON #: 9773 Application Receipt Date: March 10, 2004
Facility/Project: Villa Maria Nursing & Rehabilitation Center, Inc.

Applicant: Villa Maria Nursing & Rehabilitation Center, Inc.
Project Description: Establish a comprehensive medical rehabilitation hospital of up to 40 beds through the transfer of up to 40 beds at St. Catherine's Rehab. Hospital

County: Dade District: 11
CON #: 9777 Application Receipt Date: March 10, 2004
Facility/Project: Baptist Hospital of Miami
Applicant: Baptist Hospital of Miami, Inc.

Project Description: Add seven Level III NICU beds
County: Dade District: 11
CON #: 9778 Application Receipt Date: March 10, 2004
Facility/Project: Miami Children's Hospital
Applicant: Variety Children's Hospital, Inc.

Project Description: Add up to four Level III NICU beds through the conversion of up to four acute care beds
County: Dade District: 11
CON #: 9775 Application Receipt Date: March 10, 2004
Facility/Project: Palmetto General Hospital
Applicant: Lifemark Hospitals of Florida, Inc.

Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds through the delicensure of up to 20 acute care beds

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:
PROPOSALS: District 1
DATE/TIME: Wednesday, April 21, 2004, 2:00 p.m. (Central Time)

PLACE: West Florida Regional Planning Council, Conference Room, 3435 N. 12th Ave., Pensacola, FL 32593
PROPOSALS: District 3
DATE/TIME: Tuesday, April 27, 2004, 2:00 p.m.

PLACE: North Central Florida Health Planning Council, Conference Room, 18 N.W. 33rd Court, Gainesville, FL 32607
PROPOSALS: District 4

DATE/TIME: Tuesday, April 27, 2004, 10:00 a.m. (until noon)
PLACE: Health Planning Council of N.E. Florida, Inc., 2nd Floor Conference Room, 900 University Blvd. N., Jacksonville, FL 32211
PROPOSALS: District 5

DATE/TIME: Wednesday, April 21, 2004, 9:00 a.m. (until noon)
PLACE: Baker Building, Conference Room, 888 Executive Center, Drive North, St. Petersburg, FL 33702
PROPOSALS: District 6

DATE/TIME: Wednesday, April 21, 2004, 9:00 a.m. (until noon)
PLACE: Baker Building Conference Room, 888 Executive Center Drive North, St. Petersburg, FL 33702
PROPOSALS: District 7

DATE/TIME: Tuesday, April 27, 2004, 9:00 a.m.
PLACE: Health Council of East Central Florida, Inc., Conference Center, 1155 South Semoran Boulevard, Winter Park, FL 32792
PROPOSALS: District 8

DATE/TIME: Tuesday, April 27, 2004, 2:00 p.m.
PLACE: Health Planning Council of Southwest Florida, 9250 College Parkway, Suite #3, Ft. Myers, FL 33919
PROPOSALS: District 9

DATE/TIME: Thursday, April 22, 2004, 9:30 a.m.
PLACE: Treasure Coast Health Council Inc., Conference Center, 4152 West Blue Heron Boulevard, Suite 229, Riviera Beach, FL 33404
PROPOSALS: District 11

DATE/TIME: Wednesday, April 21, 2004, 10:00 a.m.
PLACE: Health Council of South Florida Conference Room, 8095 NW 12th Street, Suite 300, Miami, FL 33126

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida, 32308, attention Karen Rivera, by 5:00 p.m., April 9, 2004. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these

applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by April 14, 2004

DEPARTMENT OF ENVIRONMENTAL REGULATION

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

NOTICE OF CANCELLATION

The Florida Department of Juvenile Justice (FDJJ) published a notice to appear March 19, 2004 in the Florida Administrative Weekly (FAW), Miscellaneous Section, regarding the posting for review and comment of an emergency policy titled: Direct Care Staff Certification, Re-Certification, and In-Service Training FDJJ-1505 (department-wide policy type B) on the department's website at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>.

This policy will be posted for review and comment at a later date with notice to be published at that time in the FAW.

The Florida Department of Juvenile Justice has posted one new policy for review and comment on MyFlorida.com at: <http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>.

Security in Residential and Correctional Facilities (department-wide policy type B) – outlines and provide guidance for security in the Department's Residential and Correctional Facilities. This is the first of two – 20 working day review and comment periods. The closure date for submission of comments on this policy is April 22, 2004. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On March 10, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Sandy Wright-Albers, R.Ph., license number PS 34949. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 11, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Frances Swanson, LPN, license number PN 1239691. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 15, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Walter Fillyaw, R.N., license number PN 1287841. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 15, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Allyn Janice Fader, LPN, license number PN 1144821. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections

456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 15, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Rosetta Cannata, M.D, license number ME 48962. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL REGULATION

NOTICE OF FILINGS

Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation has received the following application.

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., April 16, 2004):

APPLICATION FOR A TRUST SERVICE OFFICE

Servicing Financial Institution: Capital City Trust Company, Tallahassee, Florida

Host Financial Institution: Capital City Bank, Tallahassee, Florida

Received: March 9, 2004

APPLICATION FOR A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: BBU Bank, 150 Alhambra Circle, Coral Gables, Florida 33134

Correspondent: Raul J. Valdes-Fauli, 200 South Biscayne Boulevard, 41st Floor, Miami, Florida 33131

Received: March 12, 2004

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.

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: City County Credit Union of Fort Lauderdale, 1982 North State Road 7, Margate, Florida 33063-5710

Expansion Includes: Select Employee Group

Received: March 9, 2004

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 8, 2004
and March 12, 2004

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

Commission for Independent Education

6E-1.0032	3/9/04	3/29/04	29/47	
6E-2.001	3/9/04	3/29/04	29/47	

PUBLIC SERVICE COMMISSION

25-6.014	3/10/04	3/30/04	29/51	
25-6.135	3/10/04	3/30/04	29/51	
25-6.1351	3/10/04	3/30/04	29/51	

DEPARTMENT OF CORRECTIONS

33-507.201	3/9/04	3/29/04	29/48	30/6
33-601.209	3/12/04	4/1/04	30/6	
33-601.217	3/12/04	4/1/04	30/6	
33-601.220	3/12/04	4/1/04	30/6	
33-601.820	3/12/04	4/1/04	30/6	
33-602.220	3/12/04	4/1/04	29/48	30/1
33-602.221	3/12/04	4/1/04	29/48	30/1
33-602.222	3/12/04	4/1/04	29/48	30/1

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

61G2-2.0035	3/9/04	3/29/04	30/2	
Barbers' Board				
61G3-21.001	3/9/04	3/29/04	29/45	

Board of Cosmetology

61G5-24.002	3/9/04	3/29/04	30/6	
61G5-30.004	3/9/04	3/29/04	30/6	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-4.001	3/10/04	3/30/04	29/51	30/7
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Board of Occupational Therapy

64B11-5.001	3/8/04	3/28/04	29/50	
64B11-6.001	3/8/04	3/28/04	29/50	30/7

Board of Speech-Language Pathology and Audiology

64B20-6.001	3/8/04	3/28/04	30/6	
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FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

68B-8.001	3/9/04	7/1/04	30/1	
68B-8.002	3/9/04	7/1/04	30/1	30/9
68B-8.003	3/9/04	7/1/04	30/1	30/9
68B-8.004	3/9/04	7/1/04	30/1	
68B-8.005	3/9/04	7/1/04	30/1	
68B-8.006	3/9/04	7/1/04	30/1	
68B-8.007	3/9/04	7/1/04	30/1	
68B-8.008	3/9/04	7/1/04	30/1	
68B-8.009	3/9/04	7/1/04	30/1	30/9
68B-8.010	3/9/04	7/1/04	30/1	30/9
68B-8.011	3/9/04	7/1/04	30/1	30/9
68B-8.012	3/9/04	7/1/04	30/1	30/9
68B-8.013	3/9/04	7/1/04	30/1	30/9
68B-8.014	3/9/04	7/1/04	30/1	
68B-8.015	3/9/04	7/1/04	30/1	
68B-8.016	3/9/04	7/1/04	30/1	
68B-32.002	3/8/04	3/28/04	30/1	
68B-32.004	3/8/04	3/28/04	30/1	
68B-32.005	3/8/04	3/28/04	30/1	30/2