

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE TITLES: Receipt of Taxpayer's Petition to Be Acknowledged Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent With Section 194.032, F.S.; Organizational Meeting; Uniform Procedures to Be Available to Petitioners	RULE NOS.: 12D-10.004 12D-10.0044
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PURPOSE AND EFFECT: The purpose of the proposed amendments to Rules 12D-10.004 and 12D-10.0044, F.A.C., is to implement the provisions of Chapter 2004-349, Laws of Florida, which provides: increased time frames for the clerk of court to notify a petitioner of the date of a scheduled hearing before the value adjustment board; increased time frames for the exchange of evidence between the property appraiser and the petitioner; a requirement to reschedule a hearing where the property appraiser does not timely provide evidence to the petitioner.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by these proposed amendments is the procedures used by local value adjustment boards.

SPECIFIC AUTHORITY: 194.011(5), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 194.011, 194.015, 194.032, 194.034, 194.035, 195.022, 200.069, 213.05 FS.

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

TIME AND DATE: 10:00 a.m., August 27, 2004
PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Property Tax Technical Unit, Department of Revenue, 501 S. Calhoun Street, Room 415, Carlton Building, Tallahassee, Florida 32399-0100, telephone (850)414-6108, e-mail address gallops@dor.state.fl.us.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Larry Green, (850)922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-10.004 Receipt of Taxpayer's Petition to Be Acknowledged.

(1) No change.

(2) The clerk of the board shall prepare a schedule of appearances before the board based on timely filed petitions. The clerk shall notify each petitioner of the scheduled time of appearance. The notice shall be in writing, and delivered by regular or certified U.S. mail or personal delivery so that the notice shall be received by the taxpayer no less than twenty-five (25) ~~(20)~~ calendar days prior to the day of such scheduled appearance. The clerk will have prima facie complied with the requirements of this section if the notice was deposited in the U.S. mail thirty (30) ~~twenty-five (25)~~ days prior to the day of such scheduled appearance.

(3) through (4) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 194.011, 194.015, 194.032, 195.022, 200.069, 213.05 FS. History--New 10-12-76, Formerly 12D-10.04, Amended 1-11-94, 12-28-95, 12-31-98, 1-20-03,

12D-10.0044 Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent with Section 194.032, F.S.; Organizational Meeting; Uniform Procedures to Be Available to Petitioners.

(1) No change.

(2) Subsequent to the mailing or sending of the hearing notice, and at least 15 ~~ten (10)~~ days before the scheduled hearing, the petitioner shall provide the property appraiser with a list and summary of evidence to be presented at the hearing. The list and summary must be accompanied by copies of documentation to be presented at the hearing.

(3) No later than 7 ~~five (5)~~ days before the hearing, if after the property appraiser receives the petitioner's documentation and if requested in writing by the petitioner, the property appraiser shall provide the petitioner with a list and summary of evidence to be presented at the hearing. The list and summary must be accompanied by copies of documentation to be presented at the hearing. The evidence list must contain the property record card if provided by the clerk. ~~In computing the five (5) day period prescribed in this subsection, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. See Rule 1090(a), Florida Rules of Civil Procedure, entitled Time.~~

(4)(a) If the taxpayer does not provide the information to the property appraiser at least 15 ~~ten (10)~~ days prior to the hearing pursuant to subsection (2), the property appraiser need not provide the information to the taxpayer pursuant to subsection (3).

(b) If the property appraiser does not provide the information within the time required by subsection (3), the hearing shall be rescheduled and at least five (5) calendar days

~~before the hearing, the taxpayer shall be entitled to reschedule the hearing. If the property appraiser provides the information within the time set forth in subsection (5) but less than five (5) calendar days before the hearing, the petitioner's submission of the information shall qualify as a written request for rescheduling as provided in subsection (9). In such circumstances, the clerk shall reschedule the hearing upon being so advised by the petitioner.~~

(5) through (9) No change.

(10) This rule provides procedures for information and evidence exchange between the petitioner and property appraiser, consistent with Section 194.032, F.S., subject to the provisions of Section 194.034(1)(d), F.S., and subsection 12D-10.003(4), F.A.C., relating to a request by a property appraiser for information from the petitioner in connection with a filed petition, which information need not be provided earlier than fifteen (15) ten (10) days prior to a scheduled hearing pursuant to subsections (2) and (5).

(11) through (12) No change.

Specific Authority 194.011(5), 195.027(1), 213.06(1) FS. Law Implemented 194.011, 194.015, 194.032, 194.034, 194.035, 195.022, 200.069, 213.05 FS. History—New 4-4-04, Amended.

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE TITLES:	RULE NOS.:
Application for Obtaining Tax Deed by Holder of Tax Certificate; Fees	12D-13.060
Minimum Standards for Ownership and Encumbrance Reports Made in Connection with Tax Deed Applications; Fees	12D-13.061
Lands Available for Taxes	12D-13.064

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rules 12D-13.060, 12D-13.061, and 12D-13.064, F.A.C., is to implement the provisions of Chapter 2004-349, Laws of Florida, which provides a definition of contiguous property for property owner identification purposes in the tax deed application process; provides that a tax collector may contract for higher liability limits than statutorily allowed for title searches or abstracts in the tax deed application process; and provides that land on the list of lands available for taxes escheats to the county free and clear of all taxes and liens and that an escheatment tax deed be issued.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by these proposed amendments is the procedures used in the tax deed application and issuance process.

SPECIFIC AUTHORITY: 195.022, 195.027(1), 213.06(1) FS. LAW IMPLEMENTED: 125.411, 197.3632, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602, 213.05 FS.

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

TIME AND DATE: 10:00 a.m., August 27, 2004

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sharon Gallops, Property Tax Technical Unit, Department of Revenue, 501 S. Calhoun Street, Room 415, Carlton Building, Tallahassee, Florida 32399-0100, telephone (850)414-6108, e-mail address gallops@dor.state.fl.us.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting Larry Green, (850)922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-13.060 Application for Obtaining Tax Deed by Holder of Tax Certificate; Fees.

(1) through (3) No change.

(4) PROCEDURE AFTER APPLICATION IS MADE – ALL CERTIFICATES.

(a) through (b) No change.

(c) The tax collector shall also attach to the certification Form DR-513 a statement certifying the names and addresses of all persons the clerk is required by law to notify prior to the tax deed sale. (See Section 197.522, F.S.) The statement shall contain at a minimum the following names and addresses:

1. through 9. No change.

10. Any legal titleholder of record of property that is contiguous to the property described in the tax certificate, when the property described is either submerged land or common elements of a subdivision, if the address of the titleholder of contiguous property appears on the record of conveyance of the land to that legal titleholder. However, if the legal titleholder of property contiguous to the property described in the tax certificate is the same as the person to whom the property described in the tax certificate was assessed on the tax roll for the year in which the property was last assessed, the notice may be mailed only to the address of the legal titleholder as it appears on the latest assessment roll. The term "contiguous" means touching, meeting, or joining at the surface or border, other than at a corner or a single point, and not separated by submerged lands. Submerged lands lying below the ordinary high-water mark which are sovereignty lands are not part of the upland contiguous property for purposes of notification to the owner of contiguous property and for certification purposes as provided in this rule subsection.

(d) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 197.3632, 197.482, 197.502, 197.512, 197.522, 197.532, 197.542, 197.552, 197.562, 197.573, 197.582, 197.593, 197.602, 213.05 FS. History—New 6-18-85, Formerly 12D-13.60, Amended 5-23-91, 12-13-92, 1-11-94, 12-25-96, 12-31-98, 1-26-04,_____.

12D-13.061 Minimum Standards for Ownership and Encumbrance Reports Made in Connection with Tax Deed Applications; Fees.

(1) through (5) No change.

(6) The tax collector shall not accept or pay for any title search or abstract that includes a phrase such as “no financial responsibility is assumed for this search.”. However, reasonable restrictions as to the liability or responsibility of the abstract or title company are acceptable. The tax collector is authorized to contract for higher maximum liability limits than provided under Section 627.7843(3), F.S.

(7) through (8) No change.

Specific Authority 195.022, 195.027(1), 213.06(1) FS. Law Implemented 197.502, 197.512, 197.522, 213.05 FS. History—New 6-18-85, Formerly 12D-13.61, Amended 12-3-01,_____.

12D-13.064 Lands Available for Taxes.

(1) through (2) No change.

(3) If not purchased, lands contained on the list with any certificates issued on them on or before July 1, 1999, shall escheat to the county, free and clear, seven years after the date on which the property was offered for tax deed sale. If not purchased, lands contained on the list on which all certificates on them were issued after July 1, 1999, shall escheat to the county, free and clear, three years after the date on which the property was offered for tax deed sale. The clerk shall execute an escheatment tax deed vesting title in the board of county commissioners of the county.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 125.411, 197.502, 213.05 FS. History—New 6-18-85, Formerly 12D-13.64, Amended 12-30-99, 1-26-04,_____.

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE TITLES:	RULE NOS.:
Administration of Forms	12D-16.001
Index to Forms	12D-16.002

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12D-16.001, F.A.C., is to implement the provisions of chapter 2004-22, Laws of Florida, which requires that the Department provide prescribed forms to counties with populations of 100,000 or less and that all other counties reproduce prescribed forms at the county’s expense. The purpose of the proposed amendments to Rule 12D-16.002, F.A.C., is to incorporate legislative changes under Chapter 2004-349, Laws of Florida, and other technical changes to ad valorem property tax forms used by property appraisers, tax collectors, and the general public.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by these proposed amendments is the forms used for ad valorem property tax purposes.

SPECIFIC AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1983, 196.1995, 196.24, 197.182, 197.222, 197.253, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS.

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-16.001 Administration of Forms.

(1) The Department shall prescribe ~~and furnish~~ all forms and instructions relating to their use, which shall be uniform throughout the state, to be used by county property appraisers, county tax collectors, clerks of the circuit court, and value adjustment boards in administering and collecting ad valorem taxes. The Department shall furnish forms for counties with a population of 100,000 or less. Counties with a population of more than 100,000 shall reproduce forms for distribution at the county officer’s expense.

(2) No change.

(3) For counties with populations of 100,000 or less, requisitions ~~Requisitions~~ for forms shall be made to the Department not less than 90 days prior to desired date of delivery ~~so that each appraiser can and shall make them available in his office on the first working day of the next ensuing calendar year. Each appraiser shall, on or before August 1 of each year, submit his requisition to the Department for the following forms.~~ Requisitions for the following forms

shall be submitted to the Department on or before August 1 of each year so that the property appraiser can and shall make them available in his or her office on the first working day of the next ensuing calendar year:

- (a) Tangible Personal Property and Inventory Return;
- (b) Application for Agricultural Classification of Lands;
- (c) Applications for Assessment of Pollution Control Devices; ~~and~~
- (d) Applications for Exemptions (original and renewal);
- (e) Applications for classification as High-Water Recharge Lands or as Historic Properties Used for Commercial or Certain Nonprofit Purposes.

(4) through (6) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 193.052, 195.002, 195.022 FS. History—New 10-12-76, Amended 4-11-80, Formerly 12D-16.01, Amended 1-11-94, 12-27-94, _____.

12D-16.002 Index to Forms.

(1) The following paragraphs list the forms utilized by the Department of Revenue. A copy of these forms may be obtained by writing to: Director, Property Tax Administration Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following forms and instructions:

	Form Number	Form Title	Effective Date
(2)	DR-401	Private Car and Freight Line Equipment Companies Annual Report to State of Florida Department of Revenue Property Tax Administration (r. 12/04 12/03)	____ 1/04
		(3)(a) No change.	
(b)	DR-403	Tax Roll Certification (n. 1/04)	_____
(c)	DR-403AC	Revised Recapitulation of the Ad Valorem Assessment Rolls (County Values) (r. 1/04 1/03)	____ 1/04
(4)(a)	DR-403AM	Revised Recapitulation of the Ad Valorem Assessment Rolls (Municipality Values) (r. 1/04 1/03)	____ 1/04
		(b) through (5)(a) No change.	
(b)	DR-403EB	Assessment Roll Exemption Breakdown (r. 1/04 1/03)	____ 1/04
		(6) through (27) No change.	
(28)(a)	DR-489AC	Preliminary Recapitulation of Ad Valorem Assessment Rolls – County (r. 1/04 1/03)	____ 1/04
(b)	DR-489AM	Preliminary Recapitulation of Ad Valorem Assessment Rolls – Municipality (r. 1/04 1/03)	____ 1/04

- (c) DR-489EB Assessment Roll Exemption Breakdown (r. ~~1/04~~ ~~1/03~~) _____ ~~1/04~~
- (d) through (38)(c) No change.
- (d) DR-501SC Sworn Statement of Adjusted Gross Income of Household and Return (r. ~~12/04~~ ~~12/03~~) _____ ~~1/04~~
- (e) through (41) No change
- (42)(a) DR-506 Tax Deed (r. 1/95) 12/95
- (b) ~~DR-506E~~ Escheatment Tax Deed (r. 12/04) _____
- (43) through (51)(a) No change.
- (b) DR-534 Notice and Application for Alternative Payment of ~~2005~~ ~~2004~~ Property Taxes (r. ~~12/04~~ ~~12/03~~) _____ ~~1/04~~
- (52) through (61) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1983, 196.1995, 196.24, 197.182, 197.222, 197.253, 197.3632, 197.3635, 197.414, 197.432, 197.472, ~~197.502~~, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS. History—New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01, 1-20-03, 1-26-04, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Trust Fund
 RULE NO.: 33-203.201

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: implement HB 1875, which amends Section 944.516, F.S., to allow the department to charge inmates an administrative processing fee for banking services; and to increase the deposit amount that requires a hold before funds are available.

SUBJECT AREA TO BE ADDRESSED: Inmate trust fund.
 SPECIFIC AUTHORITY: 944.09, 944.516, 945.091 FS.
 LAW IMPLEMENTED: 57.085, 717, 944.09, 944.516, 945.091, 945.214 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-203.201 Inmate Trust Fund.

(1) The following are the policies of the department with respect to money received for the personal use or benefit of inmates:

(a) through (g) No change.

(h) Pursuant to Section 944.516, F.S., each inmate shall be charged an administrative processing fee of \$4.00 per month for banking services.

(2)(a) All monies (cashiers checks, money orders, or certified bank drafts only; no cash or personal checks allowed) that are mailed to the Bureau of Finance and Accounting, Inmate Trust Fund Section, for an inmate shall be initially deposited in the Inmate Trust Fund. Funds must be mailed with the completed deposit form and made payable to the Inmate Trust Fund and include the inmate's name and DC number. Once the deposit is posted to the inmate's account, a receipt will be printed at the institution and provided to the inmate. Funds will become available for the inmate's use within ten working days after receipt by the Bureau of Finance and Accounting, Inmate Trust Fund Section, in Tallahassee. Every effort shall be made to have funds available sooner. Any money order, cashiers check, or certified bank draft in the amount of ~~\$400~~ ~~\$300~~ or higher posted to an inmate's account will have a ten day hold placed on the funds. After ten days the funds will be available for the inmate's use. Deposits mailed to institutional or other department addresses other than the Bureau of Finance and Accounting, Inmate Trust Fund Section will be returned to the sender. In order to deposit the funds the sender shall complete Form DC2-303, Inmate Trust Fund Deposit Form. Form DC2-303 is hereby incorporated by reference. This form may be obtained from any institution, facility, or by requesting in writing from the Bureau of Finance and Accounting, Inmate Trust Fund Section, Centerville Station, P. O. Box 12100, Tallahassee, Florida 32317-2100, or the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is July 13, 2003. Other items found in the incoming mail will be returned to the sender and will not be forwarded to the inmate.

(b) through (12) No change.

Specific Authority 944.09, 944.516 945.091, 945.215 FS. Law Implemented 57.085, 717, 944.09, 944.516 945.091, 945.215 FS. History—New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended 5-7-00, 7-13-03, 10-20-03,

DEPARTMENT OF CORRECTIONS

RULE TITLES: RULE NOS.:
 Food Services – Definitions 33-204.002
 Food Services – Standards of Operation 33-204.003
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete unnecessary language, correct staff titles, and update reference standards.

SUBJECT AREA TO BE ADDRESSED: Food services.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-204.002 Food Services – Definitions.

For the purposes of this chapter:

(1) "Master menu" means the menu which is designed to be served at all facilities to provide uniformity in items served to each inmate. The master menu shall be planned under the direction of the department's master menu committee, ~~and it should be~~ certified nutritionally adequate as determined by a licensed registered dietitian employed by the department.

(2) through (3) No change.

(4) "Master Menu Committee" refers to the food services advisory group which consists of the Chief, Bureau of Institutional Support Services manager or his designee, the central office public health nutrition program manager, ~~the field public health nutrition consultants, the field operations management consultant managers and field government operations consultant II's~~ and the central office food service administrator senior management analyst supervisor. The Chief, Bureau of Institutional Support Services manager has the authority to invite other staff as necessary.

~~(5) "Facility" refers to all Department of Corrections operated locations providing food services to offenders including references to institutions, work release centers, probation and restitution centers and drug treatment centers.~~

~~(6) "National Child Nutrition Program," (NCNP), refers to the National School Breakfast Program and School Lunch Program through which reimbursement is received by the department for eligible breakfast and lunch meals. Eligible meals contain specifically required components as defined by the program for the purpose of meeting federal program requirements. The Food and Nutrition Service, a subdivision of~~

~~the United States Department of Agriculture, administers the programs pursuant to the Child Nutrition Act of 1966, 42 USC § 1773, and the Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. The department utilizes the programs to provide enhanced nutrition for qualified inmates under the age of 21 at participating facilities. To qualify and participate, the inmate must be under the age of 21 and be housed in an NCNP designated dormitory.~~

~~(7) "Master Menu Manual" refers to that food service technical manual that provides procedural information, such as daily menus, production sheets, and recipes for the service of the regular menu, the alternate entrée and vegan meal pattern, religious and secular holiday menus, the special management meal, and sack lunches.~~

~~(8) "Contract Manager" refers to the Assistant Director of Field Support Services.~~

~~Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.002, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, _____.~~

33-204.003 Food Services – Standards of Operation.

(1) General. Inmates shall receive three meals per day, of which at least two shall be hot meals. The meals shall be provided at regular meal times during each 24-hour period, with a period of no more than 14 hours between the end of the evening meal and the beginning of the morning meal, weather and security permitting. Holiday substitutions that deviate from the master menu must be approved in advance by the institutional warden, work release center major, or drug treatment center chief correctional officer contract manager. Prescribed therapeutic diets shall be available to all inmates with a current diet prescription.

(2) No change.

(3) Menus. ~~The Recommended Dietary Allowances or the Dietary Reference Intakes of the Food and Nutrition Board – National Academy of Sciences shall serve as the standard for the preparation of menus and the evaluation of menus served. The Recommended Dietary Allowances and the Dietary Reference Intakes of the Food and Nutrition Board are hereby incorporated by reference. A copy of the Recommended Dietary Allowances or the Dietary Reference Intakes may be obtained from the Bureau of Institutional Field Support Services, Food Service Section, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of the Revised Recommended Dietary Allowances is January 18, 1989. The Dietary Reference Intakes were copyrighted in 2001.~~

(a) through (e) No change.

(4) Sanitation.

(a) All food service areas shall meet the standards of the Food Hygiene State Sanitary Code, Department of Health, Chapter 64E-11, F.A.C. Food and beverages shall not be consumed in food preparation areas.

(b) Personnel assigned to food service shall meet the standards set by the Food Hygiene State Sanitary Code, Department of Health Rule 64E-11.005, F.A.C.

(e) ~~The individual responsible for food service at the institution or facility shall be responsible for the following:~~

1. ~~Writing instructions for the operation and cleaning of the physical plant, equipment and utensils. Instructions shall be in compliance with the State Sanitary Code, Department of Health rule 64E 11.005, F.A.C.~~

2. ~~Preparing a frequency chart for the regular periodic cleaning of the physical plant, equipment and utensils, and ensuring that cleaning is done according to the frequency chart; and~~

3. ~~Daily inspection of the food service areas, including the recording of the temperatures of coolers, freezers, dishwashers, and hot tap water.~~

(d) ~~Weekly sanitation inspections of food service areas shall be performed by a person or team assigned by and reporting to the warden.~~

~~(5) Maintenance of Equipment. The person in charge of the maintenance department shall prepare a schedule for periodic, preventative maintenance of the physical plant and equipment. The preventative maintenance program shall include inspection, lubrication, replacement of parts as necessary, and any other maintenance to extend equipment life as suggested by manufacturer's instructions. The person in charge of food service will ensure that equipment is utilized properly, abuse of equipment is minimized, and that sanitation standards are maintained. It will be the responsibility of the person in charge of maintenance to ensure that the preventative maintenance program operates effectively. He or she will maintain a file on each piece of major equipment denoting when and what was done and at what cost.~~

~~(6) Security. The chief of security shall write and post a plan and schedule for supervision of inmates during meals. The chief of security shall be responsible for enforcement of the written plan to ensure control of inmates.~~

(7) through (8) renumbered (5) through (6) No change.

~~(9) National Child Nutrition Program.~~

~~(a) It is the intent of the department that all institutions that qualify will participate in the National Child Nutrition Program. To qualify, an institution will have a sufficient number of offenders qualified to be NCNP participants so that adequate revenues will be generated to offset the costs associated with implementing program requirements.~~

~~(b) The National Child Nutrition Program master menu will be utilized to provide enhanced nutrition to program participants who are under the age of 21.~~

~~Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS.; Child Nutrition Act of 1966, 42 USC § 1773, Richard B. Russell National School Lunch Act, 42 USC § 1751 et seq. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, _____.~~

DEPARTMENT OF CORRECTIONS

RULE TITLE: Cash Meals and Special Group Meals
 RULE NO.: 33-204.005
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete unnecessary language from the rule.
 SUBJECT AREA TO BE ADDRESSED: Food Services.
 SPECIFIC AUTHORITY: 20.315, 944.09 FS.
 LAW IMPLEMENTED: 20.315, 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-204.005 Cash Meals and Special Group Meals.

(1) The cost of meals for employees or volunteers shall be borne by the individual being provided with the meal, except as provided in subsection (2) of this section. Employees or volunteers served meals shall be charged the predetermined amount as designated in the current food services contract approved by the Department of Corrections for all meals. ~~Meals shall be purchased with cash and the employee or volunteer will sign a "Daily Meal Roster", DC2-406, to indicate a meal was purchased and consumed by them. Persons eligible for free meals will be identified on the Daily Meal Roster by noting the words "no charge" next to the individual's signature. Form DC2-406 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. The effective date of this form is May 21, 2000.~~

(2) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History-New 1-18-89, Formerly 33-30.005, Amended 5-21-00, 6-26-03,_____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Holding Cells
 RULE NO.: 33-602.224
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify provisions related to conditions of holding cell use and maintenance of records and to delete unnecessary language.
 SUBJECT AREA TO BE ADDRESSED: Holding cells.
 SPECIFIC AUTHORITY: 944.09 FS.
 LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.224 Holding Cells.

(1) No change.

(2) ~~Holding cells may be constructed in medical areas, security buildings, confinement areas, dormitories and other areas that the warden determines will enhance the physical security of the institution.~~ All holding cells must be in compliance with the following ~~design~~ requirements:

(a) through (f) No change.

(3) No change.

(4) A holding cell log will be maintained at the holding cell location initiated any time an inmate is placed in the holding cell for a period exceeding 30 minutes. Each institution will be responsible for using the Holding Cell Log, Form DC6-208, to record the reasons for placement in the cell, the length of time held in cell, and the record of frequent checks. Form DC6-208 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida, 32399-2500. Requests for forms to be mailed must be accompanied by a self-addressed stamped envelope. The effective date of this form is February 3, 2000.

(5) through (8) No change.

(9) An inmate who is placed in a holding cell in response to a medical or mental health emergency or while awaiting admission to a medical or mental health unit shall not be left unattended at any time. Inmates declaring a medical or psychological emergency while in a holding cell shall not be left unattended at any time. Medical personnel shall be notified immediately. Medical personnel attending to an inmate in a holding cell will sign the holding cell log. If no log has been initiated, the information will be documented on the housing unit log. If the holding cell is in an area that does not have a housing unit log, a notation will be made on the control room log.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History-New 2-3-00, Amended 8-7-03,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Medicaid Provider Service Networks
 RULE NO.: 59G-8.700

PURPOSE AND EFFECT: The proposed rule will clarify: (a) the purpose of the provider service networks pursuant to Section 409.912(4)(d), Florida Statutes, (b) provider service network contract eligibility, and (c) the scope of contract for provider service networks.

SUBJECT AREA TO BE ADDRESSED: Medicaid Provider Service Networks.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.912, 409.912(4)(d) FS.

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

TIME AND DATE: 1:00 p.m. – 3:00 p.m., August 30, 2004

PLACE: Agency for Health Care Administration, Conference Room C, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Linda Macdonald, Medicaid Bureau of Health Systems Development, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 50, Tallahassee, Florida 32308, (850)922-7320

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-8.700 Medicaid Provider Service Networks.

(1) Purpose: Under authority of Title XIX of the Social Security Act, the state operates the Medicaid Program in conformance with federal Medicaid requirements to enable the provision of quality medical services to eligible Medicaid managed care recipients through provider service networks which utilize alternative service delivery and reimbursement methodologies pursuant to Section 409.912, F.S.

(2) Contractor Eligibility. The agency is authorized to enter into contracts with Provider Service Networks that is an organization operated by health care providers offering integrated systems of care to enrolled Medicaid managed care recipients on a fee-for-service or prepaid basis that meets the financial reserve, quality assurance, and patient rights requirements under the terms of the contract and in compliance 42 Code of Federal Regulation, Part 438 and Section 409.912, Florida Statutes. A Provider Service Network must be at least 51 percent owned by a Florida hospital and render inpatient services under the terms of the contract with the Agency for Health Care Administration.

(3) Scope of Contract. A Medicaid Provider Service Network contract shall include:

- (a) Covered services;
- (b) A payment methodology for covered services;
- (c) Quality assurance standards;
- (d) Individuals covered by the contract; and
- (e) Service area.

Specific Authority 409.919 FS. Law Implemented 409.912, 409.912(4)(d) FS. History—New

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management and Building

Construction

RULE CHAPTER TITLE: Lease/Sublease of State-Owned

RULE CHAPTER NO.:

Property for E911 System

Wireless Communication Facility

60H-9

RULE TITLES:

RULE NOS.:

Definitions

60H-9.001

Intent

60H-9.002

Properties Acquired for Transportation

Purposes Excluded

60H-9.003

Managing Agency/Owner Agency Evaluation of Space Availability

60H-9.004

Negotiation of DMS E911 Wireless

Communications Lease/Sublease

60H-9.005

Filing on Standard Lease/Sublease

60H-9.006

Information and Forms

60H-9.007

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to promulgate a set of rules defining a process for the use of State-owned Property to site Wireless Communication Facilities to support the Wireless E911 System.

SUBJECT AREA TO BE ADDRESSED: Definitions; Intent; Properties Acquired for Transportation Purposes Excluded; Managing Agency/Owner Agency Evaluation of Space Availability; Negotiation of DMS E911 Wireless Communications Lease/Sublease; Filing on Standard Lease/Sublease; Information and Forms.

SPECIFIC AUTHORITY: 365.172(11)(e) FS.

LAW IMPLEMENTED: 365.172(3) FS.

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

TIME AND DATE: 9:00 a.m., September 15, 2004

PLACE: Betty Easley Center, 4075 Esplanade Way, Room 180, Tallahassee, Florida 32399-0950

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should advise the Department of Management Services at least 2 calendar days before the workshop, by contacting: Julie Shaw, (850)487-3423.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Owen, Senior Management Analyst II, Facilities Management and Building Construction, 4030 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-0439, Suncom 278-3239, e-mail: owenj@dms.state.fl.us

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLE: Operation of the Association
 RULE NO.: 61B-23.002
 PURPOSE AND EFFECT: To develop a procedure and form for condominium associations to report the waiver of handrail and guardrail retrofitting information to the Division of Florida Land Sales, Condominiums and Mobile Homes and establish a date for reporting this information to the Division of State Fire Marshal of the Department of Financial Services, pursuant to Chapter 2004-80, Laws of Florida. The rule amendment also conforms this rule to revised voting procedures for the waiver of retrofitting of fire sprinkler systems adopted by the 2004 Legislature.

SUBJECT AREA TO BE ADDRESSED: Fire sprinkler systems and handrail and guardrail retrofitting for condominium associations.

SPECIFIC AUTHORITY: 718.501(1)(f) FS.

LAW IMPLEMENTED: 718.1085, 718.112(2)(1) FS.

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

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

PLACE: Conference Room B03, Fuller Warren Building, 201 W. Bloxham Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sharon A. Elzie, Senior Management Analyst II, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The rule text is also available on-line at <http://www.myflorida.com/dbpr/lsc/index.shtml>.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLE: Association Fee; Mailing Address
 RULE NO.: 61B-78.001

PURPOSE AND EFFECT: To develop a procedure and form for cooperative associations to report the waiver of handrail and guardrail retrofitting information to the Division of Florida Land Sales, Condominiums and Mobile Homes and establish a date for reporting this information to the Division of State Fire Marshal of the Department of Financial Services, pursuant to Chapter 2004-80, Laws of Florida. The rule amendment also conforms this rule to revised voting procedures for the waiver of retrofitting of fire sprinkler systems adopted by the 2004 Legislature.

SUBJECT AREA TO BE ADDRESSED: Fire safety retrofitting for cooperative associations.

SPECIFIC AUTHORITY: 719.501(1)(f) FS.

LAW IMPLEMENTED: 719.1055(5),(6) FS.

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

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

PLACE: Conference Room B03, Fuller Warren Building, 201 W. Bloxham Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sharon A. Elzie, Senior Management Analyst II, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The rule text is also available on-line at <http://www.myflorida.com/dbpr/lsc/index.shtml>.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: List of Approved Forms; Incorporation
 RULE NO.: 61G4-12.006

PURPOSE AND EFFECT: The Board proposes the development of rule to modify language consistent with Section 455.213, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: List of Approved Forms; Incorporation.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 120.52(15), 489.108, 489.115, 489.118, 489.119, 489.1195 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Requirements for Certification and Registration
 RULE NO.: 61G4-15.005
 PURPOSE AND EFFECT: The Board proposes the development of rule to modify language.
 SUBJECT AREA TO BE ADDRESSED: Requirements for Certification and Registration.
 SPECIFIC AUTHORITY: 489.115(5),(6), 489.129(1), 489.132(5) FS.
 LAW IMPLEMENTED: 489.113(1), 489.115(5),(6), 489.129(1), 489.132(5) 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Examination and Reexamination
 RULE NO.: 61G4-16.009
 PURPOSE AND EFFECT: The Board proposes the development of rule to modify language.
 SUBJECT AREA TO BE ADDRESSED: Examination and Reexamination.
 SPECIFIC AUTHORITY: 455.217(2), 455.219(1), 489.108, 489.129(2) FS.
 LAW IMPLEMENTED: 455.217, 489.109, 489.111 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Application for Certification by Examination; Reexamination
 RULE NO.: 61G6-5.002
 PURPOSE AND EFFECT: The Board proposes development of this rule to determine whether changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Application for Certification by Examination; Reexamination.
 SPECIFIC AUTHORITY: 489.507(3) FS.
 LAW IMPLEMENTED: 489.511 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: John Knap, Executive Director, Board of Electrical Contractors Licensing, 1940 North Monroe Street, Tallahassee, Florida 32399-0783
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Public Liability and Workers' Compensation Insurance
 RULE NO.: 61G6-5.008
 PURPOSE AND EFFECT: The Board proposes development of this rule to determine whether changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Public Liability and Workers' Compensation Insurance.
 SPECIFIC AUTHORITY: 489.507(2), 489.510, 489.511(4), 489.515 FS.
 LAW IMPLEMENTED: 489.507(2), 489.510, 489.511(4), 489.515, 489.517(5), 489.537 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: John Knap, Executive Director, Board of Electrical Contractors Licensing, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Certification Examination Requirements
 RULE NO.: 61G6-6.001
 PURPOSE AND EFFECT: The Board proposes development of this rule to determine whether changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Certification Examination Requirements.
 SPECIFIC AUTHORITY: 455.217(1)(b), 489.505(19), 489.507(3) FS.
 LAW IMPLEMENTED: 455.217(1)(b), 489.505(19) 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: John Knap, Executive Director, Board of Electrical Contractors Licensing, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Reexamination
 RULE NO.: 61G6-6.005
 PURPOSE AND EFFECT: The Board proposes development of this rule to determine whether changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Reexamination.
 SPECIFIC AUTHORITY: 455.217(2), 489.507(3) FS.
 LAW IMPLEMENTED: 455.217(2), 489.511(3) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Knap, Executive Director, Board of Electrical Contractors Licensing, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Criteria for Continuing Education for Reactivation of License
 RULE NO.: 61G6-9.002
 PURPOSE AND EFFECT: The Board proposes development of this rule to determine whether changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Criteria for Continuing Education for Reactivation of License.
 SPECIFIC AUTHORITY: 489.507(3), 489.519(3) FS.
 LAW IMPLEMENTED: 455.271(10), 489.513(3), 489.517(3)(a), 489.519(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Knap, Executive Director, Board of Electrical Contractors Licensing, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Citations
 RULE NO.: 61G6-11.001
 PURPOSE AND EFFECT: The Board proposes development of this rule to determine whether changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Citations.
 SPECIFIC AUTHORITY: 489.507(2), 455.224 FS.
 LAW IMPLEMENTED: 455.224, 455.225 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: John

Knap, Executive Director, Board of Electrical Contractors Licensing, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE TITLES:	RULE NOS.:
Quarterly Reporting Regarding Working Capital Requirements	61G7-10.001
Annual Financial Statements	61G7-10.0011
Notification of Initiation or Termination of Contractual Relationship	61G7-10.0013
Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name	61G7-10.002
On-Site Investigations	61G7-10.003

PURPOSE AND EFFECT: These rules are being amended to update forms, remove obsolete language, and add website addresses.

SUBJECT AREA TO BE ADDRESSED: Quarterly Reporting Regarding Working Capital Requirements, Annual Financial Statements, Notification of Initiation or Termination of Contractual Relationship, Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name, and On-Site Investigations.

SPECIFIC AUTHORITY: 468.522, 478.525(3), 468.525(3)(d), 468.526, 468.529(1), 568.530(3), 468.531 FS.

LAW IMPLEMENTED: 468.520, 468.524(2), 468.525(3), 568.525(3)(d), 468.526, 468.529(3), 468.530(3), 468.531, 468.535 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Spivey, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G7-10.001 Quarterly Reporting Regarding Working Capital Requirements.

Each employee leasing company shall submit, not later than 75 days after the end of each calendar quarter, a statement to the Board of Employee Leasing Companies affirming that it is in compliance with Section 468.525(3)(d), F.S., in that it is maintaining positive working capital, and accounting net

worth, and has adequate reserves to pay, when due, all payroll taxes, workers' compensation and health insurance premiums, and amounts due under any plan of self-insurance or partial self-insurance. This statement shall be made on form DBPR EL 4504 ~~DPR/EL-004~~ entitled "Quarterly Report Form"; effective 03-18-04 ~~12-19-94~~, which shall be filed with a copy of the company's workers' compensation certificate of insurance in effect for the current quarter including confirmation from the insurance carrier that the Board will receive at least 30-days notification of cancellation of such insurance, and the company's balance sheet and income statement for the quarter. The form, together with its instructions, are incorporated herein by reference and may be obtained by contacting the Board's office at 1940 North Monroe Street, Tallahassee, Florida 32399-0767; or its Website at www.myflorida.com. An employee leasing company may satisfy the requirements of this rule by submitting a certified true copy of its current National Associate of Professional Employer Organizations Staff Leasing Association quarterly report and copies of its balance sheet and income statement for the quarter.

Specific Authority 468.522, 468.525(3)(d), 468.529(1) FS. Law Implemented 468.525(3)(d), 468.529(1) FS. History--New 8-12-92, Amended 6-1-93, Formerly 21EE-10.001, Amended 5-8-94, 12-19-94,_____.

61G7-10.0011 Annual Financial Statements.

(1) Each employee leasing company shall submit, not later than 120 days after their fiscal year end, a copy of their current fiscal year end financial statements, prepared in accordance with generally accepted accounting principles, which shall include statement of income and retained earnings, balance sheet, statement of changes in financial position (cash flows), and applicable footnotes. This information shall be submitted on the form entitled Standard Financial Statement, DBPR EL 4506, ~~DPR/EL-006~~, herein incorporated by reference and effective 03-18-04, ~~7-1-93~~, copies of which may ~~can~~ be obtained from the Board office or its Website at www.myflorida.com. The financial statements are to reflect positive working capital and positive accounting net worth, as required in Section 468.525(3), F.A.C. Financial statements which are not audited must be accompanied by a completed form DBPR EL 4503, entitled Employee Leasing Company Attestation to Financial Statements, ~~DPR/EL-003~~, as required in Rule 61G7-5.003, F.A.C.

(2) through (4) No change.

Specific Authority 468.522 FS. Law Implemented 468.525 FS. History--New 5-8-94, Amended 6-30-99, 5-21-00,_____.

61G7-10.0013 Notification of Initiation or Termination of Contractual Relationship.

To facilitate each employee leasing company's compliance with its responsibilities under Section 468.529(3), F.S., within a 30-day period each licensed employee leasing company must notify their workers' compensation carrier, the Department of Financial Services, Division of Workers' Compensation and

the Division of Unemployment Compensation of the Agency for Workforce Innovation, of the initiation or termination of any contractual relationship with a client company on Form ~~DBPR EL 4502~~ ~~DBPR EL 4502~~, entitled "Client Initiation or Termination Form," effective ~~03-18-04~~ ~~02/28/03~~, which is incorporated herein by reference and may be obtained by contacting the Board's office and at its Website at www.myflorida.com.

Specific Authority 468.522 FS. Law Implemented 468.520, 468.529(3) FS., as amended by Section 42, Chapter 94-119, Laws of Florida. History--New 7-20-92, Formerly 21EE-6.005, Amended 10-19-94, Formerly 61G7-6.005, Amended 7-30-03, _____.

61G7-10.002 Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name.

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

(d) Sale or transfer of company stock which causes a change in controlling person(s) or other changes in the information contained in the original application.	Form DBPR EL 4510 , forms BPR/EL 010 , entitled Application for Licensure As <u>An Employee Leasing Company Controlling Person</u> , effective <u>03-18-04</u> and DBPR EL 4511 , BPR/EL 011 , entitled <u>Application for Certificate of Approval for Change of Ownership</u> , effective <u>03-18-04</u> where <u>applicable</u> . <u>The above forms are incorporated by reference and available from the Board office or from the website at www.myflorida.com. In the original application, Application For Certificate Of Approval For Change of Ownership, which are hereby incorporated by reference, and will be effective September 1996, copies of which may be obtained from the Board Office.</u>
(e) Sale or transfer of company stock.	Change of Ownership application <u>EL 4511</u> , which causes a change in control and where <u>applicable</u> , controlling person license application for each new controlling person, <u>EL 4510</u> , and Historical Sketch form, <u>EL 4512</u> , where <u>applicable</u> .
(f)(e) Sale or transfer of business assets (buyer takes over business; seller gets out of business)	new company application <u>if buyer not already licensed</u> , and fee from buyer – old license does not transfer but remains with seller; unless already licensed, new controlling person license application and fee for each new controlling person as defined in Rule 61G7-6.003, F.A.C.

(f) through (h) renumber (g) through (i) No change.

(3) through (7) No change.

Specific Authority 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. Law Implemented 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. History--New 1-27-93, Amended 5-20-93, Formerly 21EE-10.002, Amended 10-24-93, 8-17-94, 11-9-95, 5-21-96, 11-24-96, 3-18-97, _____.

61G7-10.003 On-Site Investigations.

(1) No change.

(2) The Department will, however, in lieu of an on-site investigation, audit, or review, accept submission of Quarterly Reports as defined in Rule 61G7-10.001, F.A.C., so long as the reports are submitted within the time frames and manner set out therein and so long as the reports submitted show the licensee is in compliance with the provisions of Part XI of Chapter 468, F.S. Reports which fail to evidence compliance or which are untimely filed will form the basis for disciplinary action or a full investigation. In order to take advantage of this option each licensee must sign DBPR Form ~~EL 4515~~ ~~EL 015~~ entitled Quarterly Report Agreement, incorporated herein by reference and effective 03-18-04, ~~5-21-00~~, in which the licensee agrees to abide by the provisions of this rule and Rule 61G7-10.001, F.A.C. Submission of Quarterly Reports in compliance with this Rule shall be considered as compliance with the provisions of Rule 61G7-10.001, F.A.C. If, however, a licensee determines to subject itself to on-site inspections then the Quarterly Reports required under Rule 61G7-10.001, F.A.C., shall still be filed as required by the Rule.

(3) No change.

Specific Authority 468.522 FS. Law Implemented 468.525(3)(d), 468.535 FS. History--New 5-21-00, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 30, 2004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE TITLE: Schedule of Fees Adopted by the Board

RULE NO.: 61G16-3.001

PURPOSE AND EFFECT: The Board proposes to review the appropriateness of the fees.

SUBJECT AREA TO BE ADDRESSED: The fee schedule.

SPECIFIC AUTHORITY: 455.213(2), 455.217, 455.219, 455.271, 492.104, 492.1101 FS.

LAW IMPLEMENTED: 455.213(2), 455.217, 455.219, 455.271, 492.105, 492.106, 492.1101, 492.111 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John T. Knap, Executive Director, Board of Professional Geologists, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

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

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 Environmental Health

RULE CHAPTER TITLE:	RULE NO.:
Tanning Facilities	64E-17
RULE TITLES:	RULE NOS.:
Definitions	64E-17.001
Design and Safety Requirements	64E-17.002
Requirments for Stand-up Booths	64E-17.003
Operation and Training	64E-17.004
Licenses and Fees	64E-17.006

PURPOSE AND EFFECT: The purpose of the proposed rule change is to incorporate new language and discard language that is no longer applicable.

SUBJECT AREA TO BE ADDRESSED: The changes will define terms and add new language that will incorporate safety, health and general sanitation requirements to safeguard the public against illness, injury, and disease.

SPECIFIC AUTHORITY: 381.89 FS.

LAW IMPLEMENTED: 381.89 FS.

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

TIME AND DATE: 11:00 a.m., August 25, 2004

PLACE: 4042 Bald Cypress Way, Room 225Q, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: VaKesha Brown or Padraic Juarez, Bureau of Community Environmental Health Programs, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710, (850)245-4277

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-17.001 Definitions.

(1) “Customer” – Means any person who is provided access to a tanning facility in exchange for a fee or other compensation, or any person who, in exchange for a fee or other compensation, is afforded use of a tanning facility as a condition or benefit of membership or access.

(2) “Employee” – Means someone who is working in or for a tanning establishment whether fixed or mobile, who is in direct contact with the customer for the purposes of cleaning, sanitizing, maintenance of tanning devices, determining human skin types and maximum allowable time of exposure; and assisting the customer in the proper use of tanning devices.

(3)(2) “Formal training” – Means a course of instruction approved by the department conducted or presented under formal classroom conditions by a person possessing adequate knowledge and experience to offer a curriculum, associated training, and certification testing pertaining to and associated with the correct use of tanning equipment. Training shall cover ultraviolet radiation and effects on the skin, skin typing, exposure time, photosensitivity, FDA and State regulations, eye protection, and equipment and maintenance.

(4) “Operator” – A tanning facility owner or a person who operates a tanning facility.

(5)(3) “Override timer control” – Means a separate electrical timer, switch, or similar device which may be used by the operator to start, stop, or reset the timer system for a tanning machine. The term does not include electric service panels which control the entire electrical system for a building or a portion of a building.

(6)(4) “Person” – Means any individual, corporation, partnership, association, political subdivision of this state, any other state or political subdivision or department thereof, and any legal successor, representative, agent, or department of the foregoing.

(7) “Phototherapy device”– A piece of equipment that emits ultraviolet radiation and that is used by a licensed health care professional in the treatment of disease.

(8) “Reconditioning”– Means a process or procedure by which distressed tanning devices can be brought into compliance with federal and state standards for the use by the public.

(9)(5) “Safe level” – Means not more than 50 colony-forming units per four (4) square inches of equipment surface.

(10)(6) “Sanitize” – Means the effective bactericidal treatment of surfaces of equipment and devices, which provides a sufficient concentration of chemicals and enough time to reduce the bacterial count, including pathogens, to a safe level.

~~(11)(7)~~ “Stop-use order” – Means a notice written to a tanning facility by the department to remove a tanning device from service because the device does not meet the requirements of this rule, or the device is not being operated in accordance with the requirements of this rule. This is a proposed agency action issued pursuant to Chapter 120.54, F.S. The notice shall include a statement of an individual’s right to request a hearing on the proposed action.

Specific Authority 381.011(13), 381.89(13) FS. Law Implemented 381.89(10),(12) FS. History—New 1-12-93, Amended 8-7-96, Formerly 10D-112.003, Amended _____.

64E-17.002 Design and Safety Requirements.

Each tanning facility shall be designed, operated, and maintained to meet the following minimum requirements:

(1) Prior to the use of a structure as a tanning facility, plans of the facility and its proposed operation shall be submitted to and approved by the local county ~~public health department unit~~. All plans shall be legible, drawn to scale and shall comply with the requirements of this chapter. Plans shall show the location of all tanning devices and sanitary facilities. All plans shall be processed in accordance with the requirements of Section 120.60, F.S.

(2) Physical facilities.

(a) The warning sign required by Section 381.89(4)(b), F.S., shall be readily legible, clearly visible, and not obstructed by any barrier, equipment, or other item present so that the user can easily view the warning sign before energizing the ultraviolet light generating equipment.

(b) Only tanning equipment manufactured, ~~and~~ certified and legibly labeled to comply with 21 Code of Federal Regulations (C.F.R.), Part 1040, Section 1040.20, “Sunlamp Products and Ultraviolet Lamps Intended For Use In Sunlamp Products”, incorporated herein by reference, shall be used in tanning facilities. Tanning devices that have been reconditioned must comply with federal and state requirements. Compliance shall be based on the federal standard in effect at the time of manufacture as shown on the device identification label.

(c) Each tanning device shall have a timer, which complies with the requirements of 21 C.F.R. Part 1040, Section 1040.20(c)(2)(3). The maximum timer interval shall not exceed the manufacturer’s maximum recommended exposure time. No timer interval shall have an error greater than plus or minus 10% of the maximum timer interval for the product. The tanning device timer shall be set by a trained operator or other trained facility employee. All tanning equipment shall be provided with an override timer control installed outside of the room in which a tanning device is located and operated only by tanning facility personnel. Each tanning device must be equipped with an emergency shut-off mechanism on the tanning device allowing manual termination of the UV exposure by the consumer, as required by 21 C.F.R. 1040.

(d) There shall be physical barriers to protect customers from injury through contact with hot or broken lamps.

(e) There shall be physical barriers around each tanning device which is in use, such as permanent or portable partitions, to protect people who are not using the device from line-of-sight accidental ultraviolet radiation exposures.

(f) A trained operator or other trained facility employee shall clean and properly sanitize any reusable protective eyewear and body contact surfaces of tanning devices after each use.

~~(g)(f)~~ When sanitizing tanning equipment and protective eyewear, the facility shall use a sanitizer capable of providing a safe level of microorganisms, as required by this rule. A clean paper or cloth towel shall be used each time the bed or other equipment is cleaned. The sanitizer, as described in this chapter, is one specifically manufactured for sanitizing ultraviolet light emitting equipment, protective eyewear, is registered with the U.S. Environmental Protection Agency (EPA), and does not damage the acrylic plastic surface of the unit.

(h) A test kit or other device that accurately measures the concentration of the sanitizing solution in parts per million shall be used to measure the strength of the sanitizing solution at least once per day of tanning facility operation, or more frequently as needed to, ensure sufficient strength of the sanitizing solution.

~~(i)(e)~~ Each customer shall be provided with protective eyewear that meets the requirement of 21 C.F.R. Part 1040, subsection 1040.20 (c)(4) and instructions for their use. The operator or employee shall not allow a person to use a tanning device if that person refuses to use ~~of~~ protective eyewear.

(j) There shall be sufficient protective eyewear on the premises of tanning facility equal to the maximum number of persons that are able to use a tanning device at the same time.

~~(k)(h)~~ Exposure to the ultraviolet radiation produced by the tanning equipment itself is not considered a sanitizing agent for protective eyewear or tanning devices. Protective eyewear shall meet the requirements of 21 C.F.R. Part 1040, subsection 1040.20(e)(4).

~~(l)(f)~~ In addition to the requirements in subsection 381.89(6)(c), F.S., each person using a tanning device shall be instructed by the operator or a trained employee on the maximum exposure time, as recommended by the manufacturer of the device. The operator or a trained employee shall instruct the customer as to the location and proper operation of the tanning device’s emergency shut-off mechanism. Exposure to the ultraviolet radiation produced by the tanning equipment itself is not considered a sanitizing agent for protective eyewear or tanning devices.

~~(m)(j)~~ The operator must ensure that no individual is allowed to use a tanning device more than once every 24 hours. In addition to the requirements in subsection 381.89(6)(e), F.A.C., each person using a tanning device shall be instructed

~~by the operator or a trained employee on the maximum exposure time, as recommended by the manufacturer of the device. The operator or a trained employee shall instruct the customer as to the location and proper operation of the tanning device's emergency shut-off mechanism.~~

Specific Authority 381.89(13) FS. Law Implemented 381.89(4)(a) FS. History--New 1-12-93, Amended 8-7-96, Formerly 10D-112.004, Amended

64E-17.003 Requirements for Stand-up Booths.

(1) There shall be floor markings or other means to indicate the proper exposure distance between ultraviolet lamps and the user's skin.

(2) ~~The construction of the upright booth shall be of rigid construction and be so designed as to and secured so that it will withstand the stress of use and the impact of a falling person. The doors shall open outwardly and be designed for rapid exit from the booth in emergencies.~~

(3) ~~The booth shall be of rigid construction; doors shall open outwardly and be designed for rapid exit from the booth in emergencies.~~ Non-slip floors shall be provided to reduce the potential for injuries from falls. Floors shall be constructed of easily cleanable surfaces and of such material, finish and so fabricated that residue may be effectively removed by normal cleaning methods. The temperature in enclosed booths shall be maintained below 100°F (38°C).

Specific Authority 381.89(13) FS. Law Implemented 381.89(6)(c) FS. History--New 1-12-93, Amended 8-7-96, Formerly 10D-112.005, Amended

64E-17.004 Operation and Training.

(1) Each tanning facility shall have an operator who possesses a certificate of formal training, as defined in Section 64E-17.001, F.A.C. Formal training courses for operators must meet the requirements of subsection 64E-17.001(3)(2), F.A.C. When formal training courses are not available within a sixty-mile radius of a tanning facility in the time frame specified in subsection 64E-17.004(4), F.A.C., then the operator of that facility may substitute the successful completion of a correspondence training course. Correspondence courses must meet the subject matter requirements of subsection 64E-17.001(3)(2), F.A.C., and be approved by the department in order to qualify as training for operators.

(2) In addition to the requirements of subsection 64E-17.001(3)(2), F.A.C., each formal training course shall meet the following requirements.

(a) Each course shall be at least ~~5~~ 4 hours in length. ~~These 5~~ This 4 hours shall not include items such as registration, breaks, lunch, marketing, profit-making strategies, advertising and accounting, taking a test, or similar functions.

(b) Training shall include the following study topics for the minimum hours indicated:

1. Ultraviolet radiation and effects on the skin, 1 hour
2. Skin typing, 1/2 hour
3. Exposure time, 1/2 hour
4. Photosensitivity, 1/2 hour
5. Statute 381.89, FDA and State regulations, 1 hour
6. Eye protection, 1/2 hour
7. Equipment and maintenance, 1 hour

~~(c)(b)~~ Each course shall ~~include written material which covers the required subjects and include written material, such as a core training manual; audio-visual presentations; which cover the required subjects, such as slides or videos; copies of the department's statute, rules and copies of Title 21, Code of Federal Regulation, Part 1040, Section 1040.20; and a question and answer period for trainees.~~

(3) Each employee who assists the customer or operates tanning devices must be trained on the proper operation and maintenance of tanning devices. The operator of the tanning facility is responsible for training those employees or ensuring that those employees take an approved training course. Proof of training must be maintained within the facility and be available for inspection. When the operator provides employee training, ~~is provided by the operator,~~ that training shall include:

- (a) Review of the requirements of these rules;
- (b) Procedures for correct cleaning, sanitizing and operation of the device;
- (c) Recognition of overexposure or similar injury;
- (d) Review of manufacturer's procedures for operation and maintenance of tanning devices;
- (e) Medical aspects of ultraviolet radiation, photosensitivity, maximum allowable time of exposure, and determination of human skin types as it relates to compliance use of the FDA exposure schedule; and
- (f) Emergency procedures in case of overexposure or injury.

(4) Operators and other facility personnel who must comply with the training requirements of this chapter, must complete the required training according to the following:

(a) Operators hired on or after the effective date of this chapter must complete the required training prior to taking charge of a facility. Other facility personnel hired on or after the effective date of this chapter shall have a period of 30 days after the effective date of employment to successfully complete the required training; however, such persons shall work under the direct supervision of a trained operator, until they have successfully completed the required training;

(b) All personnel hired before the effective date of this chapter shall have a period of 30 days after the effective date of this chapter to successfully complete the required training.

(5) Any individual or organization requesting the department to review their training courses for compliance with the requirements of this rule, ~~shall should~~ submit copies of their training materials to the department prior to providing that training in the state. The materials submitted should include credentials of trainers and persons compiling the training materials, a copy of the classroom, Internet or correspondence course curriculum, copies of written materials to be received by trainees, a copy of the test to be given and answers to the test questions, and a statement indicating the length of time a classroom course will be conducted. The department shall review the materials and inform the applicant of its findings within 30 days from receipt of all training materials. When changes are made to a training course that has been reviewed and accepted by the department, those changes ~~shall should~~ also be submitted to the department for review prior to making the changes permanent in the training literature.

(6) In order to inform and assist the customer in the proper use of tanning devices and suitable physical aids, such as handrails and floor markings, an operator or facility employee who has been trained in accordance with the requirements of this rule must be present when tanning equipment is used. Prior to initial exposure, each customer must be given a copy of a written warning and shall be provided the opportunity to read the copy of the warning specified in subsection 64E-17.002(2)(a), F.A.C. The operator or employee shall then request that the customer sign a statement that the information has been read and understood and agrees to use protective eyewear. For illiterate or visually handicapped persons, the warning statement shall be read by the operator or employee in the presence of a witness. Both the witness and the operator or employee shall sign the statement. The customer must be informed whether the facility has liability insurance and the amount of such liability insurance shall be stated.

(7) A written and/or electronic record shall be kept for a period of four years by the facility operator of each customer's signature, age, total number of tanning visits, tanning time exposures, and the name of the operator or employee who assisted the customer.

(8) A written report of any alleged tanning injury shall be forwarded to the local county ~~HRS county public~~ health ~~department unit~~ which issued the license within five working days of its occurrence or knowledge thereof. The report shall include:

(a) The date of alleged injury and name and contact information of the affected individual;

(b) The name, location and license number of the tanning facility involved and the name of the operator or employee who assisted the customer;

(c) The nature of the alleged injury and duration of the tanning exposure;

(d) Name and address of the health care provider, and treatment, if any; and

(e) Information on the device involved, such as the manufacturer, model number, lamp used, and any other information considered relevant to the situation by the local county public health department unit.

(9) Burned-out or defective lamps or defective filters shall be replaced with a type intended for use in that device as specified on the product label on the tanning equipment or with lamps or filters that are equivalent under 21 C.F.R. 1040.20. When substitute lamps are being used, a statement from the manufacturer stating the replacement bulbs are FDA equivalent must be kept within the facility and be available for review on file ~~stating the replacement bulbs are FDA equivalent.~~ If a tanning device has been reconditioned, a statement from FDA stating the replacement bulbs are FDA equivalent must be kept within the facility and be available for review.

(10) The owner's manual for each tanning device shall be on file at the tanning facility.

Specific Authority 381.89(6), 381.89(13) FS. Law Implemented 381.89(13) FS. History--New 1-12-93, Amended 8-7-96, Formerly 10D-112.006, Amended _____.

64E-17.006 Licenses and Fees.

(1) License required.

(a) Each tanning facility shall obtain a license from the department annually.

(b) Licenses for tanning facilities shall not be transferable from one location or person to another.

(c) All tanning facility licenses shall expire on September 30 of each year.

(d) Licenses shall be posted in a conspicuous location on the premises.

(2) License application.

(a) Each person who plans to construct, purchase, reopen, or operate a tanning facility shall apply for and receive a license from the department prior to the commencement of operation.

(b) Applications for initial licenses shall be accompanied by the annual or prorated fee required in subsection (5) and shall contain at least the following information:

1. Name, address and telephone number of the tanning facility and the owners and manager of the tanning facility.

2. The number and type of tanning devices located within the facility.

3. The manufacturer, model number, and serial number for each tanning device located within the facility, including the manufacturer and model of the lamps being used in each tanning device.

4. The geographic areas within the state to be covered, if the facility is mobile.

5. Name of the supplier of tanning equipment such as lamps, acrylic materials and the service agent currently responsible for tanning equipment installation, maintenance and repair.

6. A statement that the applicant has read and understands the requirements of these rules.

7. A copy of the facility's operating and safety procedures.

8. A certificate of insurance or the name and policy number of the insurance company that provides liability insurance must be provided by facilities that have liability insurance, including the limits of liability.

(c) Persons with licenses for tanning facilities that have changed ownership, or that have licenses reinstated after revocation, or that have facility information changes, excluding name changes, compared to the original application, must comply with paragraph (b).

(3) License, Renewal, and Transfer.

(a) Before a license is issued to a newly constructed or remodeled tanning facility, an inspection shall be made by a representative of the department for the determination of compliance with the requirements of this rule.

~~(b) An application for renewal of an existing the tanning facility license is not required except as provided in (2)(c) above shall be made through the local county public health unit. The application for renewal shall be completed and received by the department not less than 30 days prior to the expiration of the current license.~~

(4) Reporting Changes.

(a) The licensee shall report changes to the department in writing before making any change which would render the information reported pursuant to subsection (2) above and contained in the application for license no longer accurate.

(b) This requirement shall not apply to changes involving the replacement of lamps with designated original equipment replacements or lamps which have been certified for use on those devices as equivalent lamps as specified by the product warning label and FDA policies applicable at the time of replacement of the lamps for tanning devices.

(b) The facility owner or manager shall maintain a copy on file of any manufacturer's literature demonstrating the equivalency of any replacement lamps for tanning devices.

(5) Fees.

(a) A person applying for an annual license shall pay the full fee. All other applicants, such as for a change of ownership, reinstatement after revocation of license or a new license after the first quarter shall pay a prorated fee on a quarterly basis. Annual fees must be received by the department within 30 days of written notification or a late renewal fee will be assessed. Annual fees must be received by the department within 30 days of written notification or a late

~~renewal fee will be assessed.~~ All tanning facilities shall pay an annual or prorated fee to the county public health department ~~unit~~ according to the following:

1. Annual License Fee (one device)	\$ 150.00
Each additional device	\$ 55.00
Total fee not to exceed	\$ 315.00
2. Late renewal of license	\$ 25.00

(b) All fees collected pursuant to this rule shall be placed in the county public health department ~~unit~~ trust fund to be used to meet the cost of carrying out the provisions of this rule. All fees submitted to the department are nonrefundable, once action has been taken on the application.

Specific Authority 381.89(13) FS. Law Implemented 381.89(3)(a),(b),(c),(13) FS. History--New 1-12-93, Amended 8-7-96, Formerly 10D-112.008, Amended _____.

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-54.002
Notice of Program and Invitation to Participate	67-54.003
Program Documents	67-54.004
Issuance of Certificate	67-54.005
Loan Processing	67-54.006
Eligible Borrowers	67-54.007
Eligible Properties	67-54.008
Reporting Requirements	67-54.009
Fees	67-54.010

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-54, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall: administer and implement Mortgage Credit Certificate Program ("Program") provisions authorized by Florida Statutes, Section 159.81 and identify the definitions for terms when used in conjunction with the Program.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to the (1) development of General Program Requirements that prescribe the procedures used for allocating Mortgage Credit Certificates and (2) ratification of universal terms, as well as, terms defined by the Florida Housing Finance Corporation when used in conjunction with the Mortgage Credit Certificate Program.

SPECIFIC AUTHORITY: 159.81 FS.

LAW IMPLEMENTED: 420.5099 FS.

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

TIME AND DATE: 2:00 p.m., August 8, 2004

PLACE: Florida Housing Finance Corporation, Formal Conference Room, 5th Floor, 227 North Bronough Street, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Wallisa Cobb, Single Family Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

Any person requiring special accommodations at the Workshop because of a disability or physical impairment should contact David Draper at the Florida Housing Finance Corporation (850)488-4197 at least five days prior to the Workshop. If you are hearing or speech impaired, please contact the Florida Housing Finance Corporation using the Florida Dual Party Relay System which can be reached at (800)955-9770 (voice) or (800)988-8711 (TDD).

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: RULE NO.:
 Penalty Calculation Worksheet 69L-6.027

PURPOSE AND EFFECT: The purpose and effect of the rule is to adopt a penalty calculation worksheet for use by the Bureau of Compliance in calculating penalties for employers who are found to be out of compliance with Chapter 440, Florida Statutes. The worksheet is utilized either as an independent excel spreadsheet or as a component of the Bureau's CCSA (Coverage and Compliance Automated System) database.

SUBJECT AREA TO BE ADDRESSED: Use of a penalty calculation worksheet for purposes of calculating penalties to be assessed against employers who are not in compliance with Chapter 440, Florida Statutes.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107 FS.

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

TIME AND DATE: 9:30 a.m., August 31, 2004

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Andrew Sabolic, Acting Bureau Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.027 Penalty Calculation Worksheet.

(1) For purposes of calculating penalties to be assessed against employers pursuant to Section 440.107, Florida Statutes, the Division shall use form #DFS-F4-1595 (rev. 4/04) which is incorporated herein by reference.

(2) Copies of this form #DFS-F4-1595 (rev. 4/04) are available from the Division of Workers' Compensation, Department of Financial Services, Larson Building, Tallahassee, Florida 32399-4226.

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107 FS. History-New

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLE: RULE NO.:
 Workers' Compensation Insurer Reporting 690-189.015
 of Underwriting Changes

PURPOSE AND EFFECT: To adopt definitions and standards for workers' compensation insurer reporting significant underwriting changes to the Office of Insurance Regulation, as required by SB 1926.

SUBJECT AREA TO BE ADDRESSED: Workers' Compensation.

SPECIFIC AUTHORITY: 624.308(1), 624.4315 FS.

LAW IMPLEMENTED: 624.4315 FS.

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

TIME AND DATE: 9:00 a.m., August 31, 2004

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jim Watford, Office of Insurance Regulation, e-mail: watfordj@dfs.state.fl.us

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

Section II Proposed Rules

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Logo Sign Program 14-85

RULE TITLE: RULE NO.:

Logo Sign Program 14-85.004

PURPOSE AND EFFECT: Rule 14-85.004, F.A.C., is being amended to add a new "Logo Trailblazer Signs" definition, to remove the incorporation by reference for Department standards, and to clarify the permitting and renewal process. The forms are revised and the address for Florida Logos, Inc. is changed.

SUMMARY: Rule 14-85.004, F.A.C., is amended.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.044(28), 479.261 FS.

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

Any person who wishes to provide information regarding 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.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE 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 FULL TEXT OF THE PROPOSED RULE IS:

14-85.004 Logo Sign Program.

(1) Definitions.

(a) No change.

(b) "Business" means an attraction or a commercial establishment, which provides ~~providing~~ gas, food, lodging, or camping services from a single site at a qualified interchange.

(c) through (m) No change.

(n) "Logo Trailblazer Signs" means signage in addition to mainline and ramp logo structures necessary to provide additional direction to otherwise qualifying businesses that are not located on, or visible from, the crossroad. Logo trailblazer signs shall consist of a business logo sign, identical to a ramp business logo sign, a directional arrow, and supports.

(o)~~(n)~~ "Mainline" means the traffic lanes of an Interstate highway intended for through travel.

(p)~~(o)~~ "Mainline Logo Structure" means those logo structures located along the mainline.

(q)~~(p)~~ "Prepared Food" means hot or deli style food prepared to order on site.

(r)~~(q)~~ "Program Administrator" means the contractor providing all services relating to the logo program pursuant to a contract under Section 479.261(4), Florida Statutes.

(s)~~(r)~~ "Ramp Logo Structure" means those logo structures located along an exit ramp.

(t)~~(s)~~ "Qualified Interchange" means an interchange that meets the requirements of subsection (3) of this Rule.

(u)~~(t)~~ "Single Exit Interchange" means an interchange configuration where, for a given direction of travel on the mainline, one exit ramp provides access to the crossroad for both directions of travel on the crossroad.

(v)~~(u)~~ "Traffic Control Signs" means all signs, signals, markings, and devices placed on, over, or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn, or guide motorists.

(2) through (8) No change.

(9) Installation and Maintenance of Logo Structures and Signs. Except as provided herein, all logo structures and signs shall be installed and maintained in accordance with the *Manual on Uniform Traffic Control Devices* which is incorporated by reference in Rule 14-15.010, Florida Administrative Code; ~~Roadway and Traffic Design Standards, 1996 edition; and Standard Specifications for Road and Bridge Construction, 1996 edition, which are incorporated herein by reference.~~ The Program Administrator shall remove, replace, or cover any business logo sign that no longer meets Department standards.

(10) Qualification of Businesses.

(a) To qualify for a business logo sign in any category, a business must meet all of the following conditions:

1. Hold all necessary licenses and permits to provide services required to qualify for the category being displayed.

2. Comply with laws concerning the provision of public accommodations without regard to race, religion, color, age, sex, or national origin, and allow admission to the general public. A business shall not qualify if admission or access is based on a membership fee or other means of exclusive admission or where minors are excluded.

3. Provide on site, modern sanitary facilities and a telephone for use by motorists.

4. Fall within a category set forth in paragraphs (10)(d) through subsection (h), and meet the requirements applicable to that category, including distance from the qualifying interchange. The qualifying interchange will be measured from the point where the crossroad intersects with the centerline of the Interstate highway median, along the crossroad to the nearest entrance to the premises of the business.

5. Be located on or visible from the crossroad so that a motorist can immediately discern the type of service provided. However, a business which meets all other qualifications but is

not located on or is not visible from the crossroad will be permitted to display a business logo sign subject to all of the following conditions:

a. The business demonstrates that additional signs are in place which are adequate to direct the motorist to its location. Such signs shall be maintained at all times while the business logo sign is displayed.

b. The business furnishes logo trailblazer signs to the program administrator at its own cost. If a logo trailblazer sign is to be placed on a city or county road, written approval must be obtained from the local government entity having authority for sign placement prior to installation of the logo trailblazer sign. Logo trailblazer signs shall be maintained by the Program Administrator.

~~c.~~ Space is available to display the business logo sign on an existing logo structure.

~~e. Such business will be permitted to renew its business logo sign permit annually unless one or more approved businesses that are visible from the crossroad have applied and no space is available on the logo structure. In such cases, the businesses qualified under this exception which are nearest the crossroad shall be approved for permit renewal.~~

(b) No change.

(c) A business shall qualify for a business logo sign in one direction only and at one half the standard annual permit fee if either of the following conditions are met:

1. The business is located at an interchange that serves one direction only.

2. The business is located at an interchange serving both directions, but the business can only serve motorists traveling in one direction because of the interchange configuration or because of sign spacing. ~~A permit for a business logo sign issued to a business serving one direction only shall not be renewed at the next billing date after six businesses serving both directions have been qualified for logo permits.~~

(d) through (h)7. No change.

(11) Permitting.

(a) Permit Period. All permits shall expire annually on December 31. However, initial permits approved after September 30, will expire December 31 of the year following approval.

(b) Permit Fees. Annual permit fees shall be \$1,000.00.

1. Payment of permit fees shall be by U.S. currency, postal money order, bank draft, cashier's check, personal check, or business check. If a personal or business check is not honored for any reason by the bank on which it is drawn, the application for which the fee was submitted will be denied. If an individual or company issues two or more checks to the Department or the Program Administrator which are not honored, no further personal or business checks will be accepted from that individual or company, regardless of whether restitution has been made on previous checks.

2. For an initial permit application, the permit fee will be prorated with 1/12 of the annual permit fee charged for each month or portion thereof remaining in the calendar year after the date of approval of the application. The fee for applications approved after September 30 will also include fees for the next calendar year.

3. For an initial permit application for a full service or self service gas business willing to provide gas pumping service to motorists with disabilities, the permit fee for the initial year of participation will be \$1,200. Subsequent annual permit renewal fees will be \$1,000.

4. Permits for the attraction category shall be awarded by the Department annually to the highest bidder. However, the fees shall not be less than the fees established for logo participants in other logo categories. Businesses seeking to be placed on the Department's qualified bidders list for the attraction category must submit a completed Logo Application for Attractions, Form Number FLI-163-1, Rev. ~~08/04~~ ~~09/04~~, incorporated herein by reference to the address specified on the form. The Logo Application for Attractions, Form Number FLI-163-1, Rev. ~~08/04~~ ~~09/04~~, may be obtained from the Program Administrator, Florida Logos, Inc., 3764 New Tampa Highway, Lakeland, Florida 33815 4706 Capital Circle, S. W., Tallahassee, FL 32310. Applicants whose applications meet program requirements will be issued a PIN number and bidding instructions.

(c) Initial Permit Application. A business applying for a business logo sign must submit a completed Logo Application/~~Annual Permit Renewal~~, Form Number FLI-163, Rev. ~~08/04~~ ~~09/04~~, incorporated herein by reference, to the address specified on the form. The Logo Application/~~Annual Permit Renewal~~, Form Number FLI-163, Rev. ~~08/04~~ ~~09/04~~, may be obtained from the Program Administrator.

1. Completed applications will be approved or denied within 90 days of receipt. A written notice of the approval or denial will be furnished to the applicant.

2. Permit fees must be received by the Program Administrator within 30 days of the notification of permit approval.

3. After notification of approval of the application, the applicant shall be responsible for providing the Program Administrator with all required ~~a~~ business logo signage which meets the specifications provided herein.

4. The business logo sign will be affixed to the display panel by the Department or its agent within 30 days of receipt of the sign or the permit fee, whichever is later.

5. Whenever space is not available on a logo structure for a business logo sign, the Program Administrator shall review the application for distance pursuant to paragraph (10)(b) above, and for operating hours pursuant to subparagraph (10)(e)4., and will place the business on a waiting list in the order of the dates on which they were received. A notice will be provided to the business indicating its position on the

waiting list. When space becomes available, notice will be provided to the business with the highest priority allowing the business 30 days within which to submit an application in accordance with this section.

6. For gas, food, and lodging categories only, applications received for businesses within three miles of an interchange have priority over businesses that are within three to six miles of an interchange.

(d) Priority of Applications.

1. Each permit holder that timely applies for renewal under this Rule will retain priority over other applicants, except when retaining priority would conflict with sub-subparagraph (10)(a)5.b.e. of this Rule.

2. Initial permit applications received after October 10, 1996, will be assigned priority based upon the date and time of receipt by the Program Administrator. The application received earliest will be given the highest priority.

3. All processing of permit applications will be in order of assigned priority. A business that fails to submit an application within 30 days of notice that space has become available will be deemed to have withdrawn its application and must resubmit its application in order to be assigned priority, which will be based on date and time of receipt as an initial permit application.

4. Acceptance of an application and assignment of processing priority does not constitute approval of an application. Approval or denial of applications will be granted after processing is complete.

(e) Process for Annual Permit Renewal.

1. Each holder of a valid logo permit must submit the full annual permit fee(s) to the Program Administrator, which permit fee(s) must be received by the Program Administrator no later than 5:00 p.m. on December 1 of each year. On or before November 1 of each year, the Program Administrator will provide a Notice of Annual Permit Renewal to each holder of a valid permit. Failure to receive the Notice will not excuse timely submission of the permit renewal application by the permit holder.

2. It is the responsibility of the permit holder to keep the Program Administrator informed concerning address changes, ownership changes, contact changes, billing address changes, and any other changes impacting notification or participation eligibility that have occurred since the last renewal period. Each permit holder must submit a completed Logo Application/Annual Permit Renewal, form number FLI-163, Rev. 09/01, to the Program Administrator by fax, mail, or hand delivery no later than December 1. If the application is mailed or faxed it must be received no later than 5:00 p.m. on December 1. If the application is hand delivered it must arrive and be date and time stamped by the Program Administrator no later than 5:00 p.m. on December 1.

3. If the Program Administrator has not received the annual permit fee(s) by 5:00 p.m. on December 1, the following procedure will be followed: The permit fee amount must be received and be date and time stamped by the Program Administrator no later than 5:00 p.m. on December 1.

a. The Program Administrator will send a notice to the permit holder by certified mail return receipt requested, informing the business that a late renewal fee has been assessed to the business equal to five percent of the total annual permit fee. If such notice is returned as undeliverable from the last known address as set forth in subparagraph (11)(e)2., no further notice will be required.

b. Permit holders must submit the annual permit fee(s) and late renewal fee(s) to the program administrator within 30 days from the date of receipt of the late renewal notice.

c. If the Program Administrator has not received the annual permit fee(s) and appropriate late renewal fee(s) as specified above, the permit will expire and the business logo sign will be removed from the display panel. Should the business subsequently reapply for a permit, such reapplication will be processed as an initial permit application in accordance with this section.

4. ~~If the completed application and permit fee are not received by the Program Administrator by 5:00 p.m. on December 1, the permit will expire and the business logo sign will be removed from the display panel. Should the business subsequently reapply for a permit, such reapplication will be processed as an initial permit application in accordance with this section.~~

(12) Denial, denial of renewal, revocation, suspension, voiding, or cancellation of permit.

(a) Denial. An application for a business logo permit will be denied if:

1. Space is not available;
2. The business does not meet the eligibility requirements;

or

(b)3. Denial of Renewal. Renewal will be denied if applicable permit fee(s) and late renewal fee(s) are not received within 30 days of receipt of the late renewal notice. A completed Logo Application/Annual Permit Renewal, form FLI-163, Rev. 09/01, and applicable permit fees are not received by the Program Administrator by 5:00 p.m. on December 1.

(c)(b) Revocation. A business's permit to participate in the logo program will be revoked if:

1. The business no longer meets the eligibility requirements outlined in this Rule chapter and has not requested a suspension.
2. The business made a false, deceptive, or fraudulent statement in its application or in any other information submitted to the Department or the Program Administrator.

3. The business has modified or revised a business logo sign or logo structure without authorization by the Department or the Program Administrator.

~~(d)~~(e) Suspension. A business logo permit will be suspended when the business notifies the Program Administrator that it is temporarily unable to provide the services required and requests suspension of the permit.

1. The maximum period of suspension shall be 90 days except in cases of national disaster or when substantial physical changes such as retrofitting of fuel tanks must be made to the business, in which case an additional 90 days will be granted by the Program Administrator upon receipt of complete construction or engineering specifications for the physical changes and a construction schedule supporting the need for additional time.

2. The logo sign permit must remain in force, including payment of all fees, during the period of suspension.

3. The Program Administrator shall cover or remove the business logo sign until the business is again able to provide services.

4. If the circumstances requiring suspension of the permit are not resolved within the time frame in subparagraph (12)(c)1., above, the Program Administrator shall revoke the business logo sign permit in accordance with paragraph (12)(b), above.

~~(e)~~(d) Voiding. If the Department or the Program Administrator must remove logo structures pursuant to paragraph (3)(d), the Program Administrator shall void the business logo sign permit. The Program Administrator shall reimburse the business for the unexpired permit term, on a pro rata basis.

~~(f)~~(e) Notice. In cases of denial, denial of renewal, revocation, or voiding, the Program Administrator shall provide a written notice to the applicant or permittee by certified mail. The notice shall contain a statement of the reason for the action and an explanation of the permittee's rights under Chapter 120, Florida Statutes.

1. Prior to revoking a logo permit, the Program Administrator shall issue a Notice of Noncompliance by certified mail. This notice shall state the noncompliance found and provide the following:

a. The permittee shall have 30 days from receipt of the Notice of Noncompliance to correct the noncompliance.

b. If corrective action is not accomplished within the 30-day period, the Program Administrator shall issue a notice of intent to revoke the permit.

2. The business logo sign shall be removed from the logo structure(s) after the revocation or denial action is final or after the final disposition of any request for an administrative proceeding pursuant to Chapter 120, Florida Statutes. The Program Administrator shall reimburse the business for the unexpired term of the business logo sign, permit, on a pro rata basis.

~~(g)~~(f) Cancellation. If a participant decides to no longer participate in the logo program, the participant must provide to the Program Administrator a written notice of its decision not to participate. Upon receipt of the notice, the Program Administrator will cancel the participant's permit and remove the participant's business logo sign.

(13) Variances and waivers. The Department will consider and act on petitions for variances to or waivers of the provisions of this rule chapter, in accordance with Sections 120.542 and 479.261(7), Florida Statutes, and Chapter 28-104, Florida Administrative Code.

(a) A variance will be granted under Section 479.261(7), Florida Statutes, when it is shown that such variance is necessary to serve the interest of the traveling public or when required to ensure equitable treatment of program participants. In the event of a conflict between these two considerations, the interests of the traveling public will prevail.

(b) When considering the standards of Section 120.542(2), Florida Statutes, the purposes of Section 479.261, Florida Statutes, will be achieved by other means if the variance or waiver serves the interest of the traveling public or ensures equitable treatment of program participants. In the event of a conflict between these two considerations, the interests of the traveling public will prevail.

Specific Authority 334.044(2) FS. Law Implemented 334.044(28), 479.261 FS. History—New 6-26-85, Formerly 14-85.04, Amended 3-20-91, 10-10-96, 12-31-96, 10-8-97, 5-25-99, 8-31-99, 7-15-02, 1-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Roger Eudy, Administrator, Motorist Information Services
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: José Abreu, P.E., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: August 3, 2004
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: July 30, 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."

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: Agency Travel Rule
 RULE TITLE: Agency Travel Rule
 PURPOSE AND EFFECT: Adopting by reference changes to travel policy.
 SUMMARY: Department of Citrus travel rule.

RULE CHAPTER NO.: 20-115
 RULE NO.: 20-115.001

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.15(8)(a) FS.

LAW IMPLEMENTED: 601.15(8)(a) FS.

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

TIME AND DATE: 10:30 a.m., September 15, 2004

PLACE: Quality Inn & Suites Conference Center, 6525 US 27, North, Sebring, FL, (863)385-4500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-115.001 Agency Travel Rule.

The Department hereby adopts by reference those portions of Fiscal Policy #304, Revised ~~6-16-04~~ ~~4-4-99~~, and as may be modified, pertaining to reimbursement of actual and necessary expenses for travel outside the state of Florida.

Specific Authority 601.15(8)(a) FS. Law Implemented 601.15(8)(a) FS. History--New 2-24-04, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ken Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 2, 2004

DEPARTMENT OF CITRUS

RULE CHAPTER TITLE: International Promotions RULE CHAPTER NO.: 20-116

RULE TITLES: Purpose RULE NOS.: 20-116.001

Payments 20-116.002

PURPOSE AND EFFECT: Establishing consistency between state and federal rules governing reimbursement of expenditures for FAS-funded international programs and events.

SUMMARY: Establishing by rule the guidelines for reimbursement of FAS-funded international programs and events.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 601.15(10)(a),(h), 601.15(8)(b),(c) FS.

LAW IMPLEMENTED: 601.15(10)(h), 601.15(8)(b),(c) FS.

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

TIME AND DATE: 10:30 a.m., September 15, 2004

PLACE: Quality Inn & Suites Conference Center, 6525 US 27, North, Sebring, FL, (863)385-4500

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULES IS:

20-116.001 Purpose.

The purpose of this rule is to establish consistency between state and federal rules governing reimbursement of expenditures related to approved international promotional programs and events utilizing USDA Foreign Agricultural Service (FAS) and Florida Department of Citrus (FDOC) matching funds.

Specific Authority 601.15(10)(a),(h), 601.15(8)(b),(c) FS. Law Implemented 601.15(8)(b),(c), 601.15(10)(h) FS. History--New _____.

20-116.002 Payments.

(1) Pursuant to regulations found at 7 CFR 1485.16 (incorporated herein by reference), which allow for the expenditure of federal funds appropriated to the USDA Commodity Credit Corporation (CCC) for FAS programs; and pertaining to amounts advanced by cooperators and participants, such regulations allow for or exclude reimbursement of the cost of specified items; and pursuant to 7 CFR 1485.16(6), which provides that a participant may seek reimbursement for expenditures associated with retail, trade and consumer exhibits and shows; and pursuant to 7CFR 1485.16(12), which specifically provides that alcoholic beverages that are not an integral part of an approved promotional activity are ineligible for reimbursement by the CCC, no expenditures or reimbursements shall be made for the purchase of alcoholic beverages unless the Executive Director, or his/her designee, has attested that alcoholic beverages are an integral part of the approved promotional activity prior to the event. Such attestation shall be set forth in the cost estimate or purchase order for the promotional activity.

(2) Funds that are from sources other than USDA FAS and required FDOC matching identified line items in the FDOC Operating Budget shall not be expended under this rule.

Specific Authority 601.15(10)(a),(h), 601.15(8)(b),(c) FS. Law Implemented 601.15(8)(b),(c), 601.15(10)(h) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ken Keck, General Counsel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 21, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLES: RULE NOS.:
Food Services – General Policy 33-204.001
Control of Food Service Equipment 33-204.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule repeal is to delete unnecessary language.

SUMMARY: A rule stating the general intent of the food services program and a rule providing internal operating procedures for maintenance of food services equipment are being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: (If one has been prepared)

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

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES 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 RULES IS:

33-204.001 Food Services – General Policy.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History–New 1-18-89, Formerly 33-30.001, Repealed _____.

33-204.004 Control of Food Service Equipment.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History–New 1-18-89, Formerly 33-30.004, Amended 8-9-00, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE: RULE NO.:
Intrastate Travel 33-302.106

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete unnecessary and obsolete language.

SUMMARY: Unnecessary and obsolete language is being deleted from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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:

33-302.106 Intrastate Travel ~~and Transfer of Supervision.~~

~~(1) No offender shall. Officers are required to instruct each offender under the officer's supervision not to change his or her residence, or leave the county of residence, without first procuring the consent of the officer. In order for an offender's request for to obtain permission to travel to be considered by the officer,~~ the following conditions must exist:

(a) through (c) No change.

(d) The offender has provided the officer with reasonable advance notice of his or her request to travel to allow ~~and has provided~~ the officer ample time to verify the travel plan and review any documentation prior to travel authorization.

(e) through (g) No change.

(2) An officer shall discuss the offender's routine travel needs during the initial interview to determine whether the offender must travel daily, weekly, or monthly between counties due to the location of her or his residence and her or his employment site, school, medical needs, program, or other approved need. If the offender must travel across county lines to get to her or his employment site, school, program, doctor, or routine shopping, the officer will document this specific information ~~in the electronic case notes~~ and give the offender a blanket approval for this travel, provided the travel is verified

and is not prohibited by the supervision orders. If the offender's residence or purpose of travel out of county changes, the blanket approval will be suspended until the offender's travel needs are revisited, reviewed, and approved. Any other travel out of county must be approved in advance.

~~(3) Non emergency travel requests submitted for travel across county lines that do not involve an overnight stay require two business days notice from the offender to allow the officer sufficient time to verify the travel plans. If the visit to the other county will exceed two days, the officer shall instruct the offender to go to the other county's local law enforcement for the purpose of criminal registration within 48 hours of entering the other county, as provided in section 775.13, F.S. This instruction shall be documented on Form DC3-220, Travel Permit and in the electronic case notes. Form DC3-220 is incorporated by reference in subsection (4) of this rule.~~

~~(4) Inter county travel in Florida approved for a visit of thirty days or less does not require a "Travel Permit," DC3-220, unless the offender is a sex offender or requires specific or additional instructions that must be written on a travel permit. Sex offenders require a travel permit for all out of county travel. If the offender is granted permission to travel and visit another county and subsequently requests an extension of the visit out of county, which will exceed thirty days, the officer will transfer the offender's supervision to the other county, unless exceptional circumstances exist that are approved by a supervisor which would allow the offender to remain out of the county on an extended travel permit without transferring the offender. The officer will complete Form DC3-237, Intrastate Transfer Request, for this purpose. Form DC3-220, Travel Permit, and Form DC3-237 are hereby incorporated by reference. Copies of these forms may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida, 32399-2500. The effective date of Form DC3-220 is 10-2-01. The effective date of Form DC3-237 is 4-15-03.~~

~~(3)(5) An offender approved for Once a travel shall be responsible for permit is issued to an offender, the officer shall instruct the offender regarding travel issues, including the following:~~

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

~~(4) The following conditions apply to offenders when travel is authorized:~~

~~(a)(d) That any D~~ deviations to the approved travel are ~~shall~~ not be authorized;

~~(b)(e) That T~~ travel is ~~shall~~ be authorized only as indicated on the travel permit; and

~~(c)(f) That F~~ failure to comply with instructions shall be a violation of supervision.

~~(6) An officer shall transfer the supervision of an offender who is granted permission to travel and remain in another county outside of her or his county of residence in the State of Florida for more than thirty consecutive days unless~~

~~exceptional circumstances exist that are approved by a supervisor which would allow an offender to remain out of county on an extended travel permit without transferring the offender.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 3-21-00, Amended 10-2-01, 4-15-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Beth Atchison

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 8, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 23, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE: Designation of Institutions for Youthful Offenders

RULE NO.: 33-601.223

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to eliminate unnecessary language and to revise the list of institutions designated to house youthful offenders.

SUMMARY: The proposed rule eliminates unnecessary language and revises the list of institutions designated to house youthful offenders.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: (If one has been prepared)

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

SPECIFIC AUTHORITY: 944.09, 944.1905, 958.11 FS.

LAW IMPLEMENTED: 944.09, 944.1905, 958.11 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:

33-601.223 Designation of Institutions for Youthful Offenders.

(1) Upon completion of the reception process, each youthful offender shall be transferred to an institution designated for his or her age and custody in accordance with Section 958.11, F.S.

~~(2) Youthful offenders who are 14-18 years of age at the time of reception shall be assigned to separate institutions than those 19-24 years of age, except when the facilities for 14-18 year olds exceeds 100 percent of maximum capacity, then 18 year olds may be assigned to facilities for 19-24 year old youthful offenders.~~

~~(3) Youthful offenders initially assigned to facilities designated for 14 year olds to 18 year olds who turn 19 years old or above may remain with the younger age group if it is in the best interest of the inmate and the department.~~

~~(4) Youthful offenders 19 years old and above will be housed with the younger age group based upon mental or physical vulnerability when necessary to protect the safety of the youthful offender or the institution.~~

~~(2)(5) The following institutions are designated as youthful offender institutions:~~

- ~~(a) Indian River Correctional Institution;~~
- ~~(b) Hillsborough Correctional Institution;~~
- ~~(b)(e) Lancaster Correctional Institution and Lancaster Work Camp;~~
- ~~(c)(d) Brevard Correctional Institution and Brevard Work Camp;~~
- ~~(d)(e) Sumter Correctional Institution – male Basic Training Program;~~
- ~~(e)(f) Lowell Correctional Institution – Women’s Unit – Basic Training Program.~~
- ~~(f)(g) Lake City Correctional Institution.~~
- ~~(h) Hendry Correctional Institution.~~
- ~~(g)(i) Hernando Correctional Institution.~~
- ~~(h) Taylor Correctional Institution Annex.~~
- ~~(i) Marion Correctional Institution (G Dormitory)~~

Specific Authority 944.09, ~~944.1905~~, 958.11 FS. Law Implemented 944.09, ~~944.1905~~, 958.11 FS. History–New 10-11-95, Amended 9-11-97, 4-14-98, Formerly 33-33.009, Amended 3-13-01, Formerly 33-506.103, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tina Hayes

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 23, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE: Rules of Prohibited Conduct and Penalties for Infractions
RULE NO.: 33-601.314

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to implement SB 1596 by providing a disciplinary charge for having been found by a court to have brought a frivolous or malicious collateral criminal proceeding filed after September 30, 2004.

SUMMARY: The proposed rule provides a disciplinary charge for having been found by a court to have brought a frivolous or malicious collateral criminal proceeding in accordance with Section 944.279(1), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 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:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

	Disciplinary	Maximum Disciplinary Actions
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Section 1 through Section 8 No change.

Section 9 – MISCELLANEOUS INFRACTIONS

9-1 through 9-31 No change.

9-32 In accordance with s. 944.279(1), F.S., 60 DC + All GT is found by the court to have brought a frivolous or malicious suit, action, claim, proceeding or appeal in any court which is filed after June 30, 1996, or to have brought a frivolous or malicious collateral criminal proceeding or is found by the court to have knowingly or with reckless disregard for the truth brought false information or evidence before the court.

9-33 through 9-34 No change.

Section 10 through Section 11 No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History--New 3-12-84, Formerly 33-22.12, Amended 1-10-85, 12-30-86, 9-7-89, 11-2-90, 6-2-94, 10-01-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 6, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 23, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE: Interstate Corrections Compact
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to correct an error in the rule to provide that inmates confined in a Florida correctional institution under the interstate corrections compact shall have the same program and work opportunities as provided to Florida inmates. Providing program and work opportunities on the same basis as the sending state, as is provided in the current rule, is not practical.
SUMMARY: The proposed rule provides that inmates confined in a Florida correctional institution under the interstate corrections compact shall have the same program and work opportunities as provided to Florida inmates.
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: 941.57, 944.09 FS.
LAW IMPLEMENTED: 941.55, 941.56, 941.57 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:

- 33-601.401 Interstate Corrections Compact.
- (1) Definitions. As used in this Rule Chapter:
- (a) through (d) No change.
- (2) through (3) No change.
- (4) When Florida is the Receiving State.
- (a) through (c) No change.

(d) Inmates confined under the Interstate Corrections Compact shall be afforded the opportunity and shall be required to participate in programs of occupational training, industrial or other work on the same basis as inmates of Florida the sending state. Qualified inmates will be eligible for participation in Community Work Release Programs with the approval of the sending state. Approval will be obtained through the Interstate Corrections Compact Administrator.

(e) through (5) No change.

Specific Authority 941.57, 944.09 FS. Law Implemented 941.55, 941.56, 941.57 FS. History--New 7-7-81, Formerly 33-21.01, Amended 12-30-96, Formerly 33-21.001, Formerly 33-301.101, Amended 3-9-03, 9-23-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 6, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 23, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE: Community Release Programs
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to define the circumstances under which an inmate will not be authorized to work at paid employment, and to remove reference to the inmate welfare trust fund which was been abolished by Senate Bill 954 (2003).
SUMMARY: The proposed rule defines the circumstances under which an inmate will not be authorized to work at paid employment, provides a definition for 'work release center,' and removes reference to the inmate welfare trust fund which was been abolished by Senate Bill 954 (2003).
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 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:

33-601.602 Community Release Programs.

(1) Definitions.

(a) through (g) No change.

(h) Work Release Center – refers to a facility where a community based transition program is conducted for approved community custody inmates prior to release from custody.

(2) through (6) No change.

(7) Employment.

(a) Employment sought must be for at least 35 hours per week and for no more than 60 hours per week.

(b)(a) The department will not authorize paid employment for an inmate to work at paid employment with a given employer if:

1. through 2. No change.

3. The employer treats the inmate with less regard than other employees; ~~or~~

4. The employer expects more services from the inmate than of employees in comparable positions or

5. The inmate wants to be employed at an establishment where:

a. The primary clientele focus is children;

b. There is a perception that children without parental supervision visit the establishment frequently; or

c. Children are normally dropped off by parents to be supervised by the employment site staff.

(b) through (k) renumbered (c) through (l) No change.

(m) The employer shall provide a current work schedule for the inmate to the work release center each week prior to the inmate being allowed to depart for work.

~~(n)(4)~~ No change.

(8) through (11) No change.

(12) Advance of Funds. The Department of Corrections is authorized to advance monies up to \$75.00 from the General Revenue Inmate Welfare Fund for an inmate who needs money for clothing, equipment, tools, transportation or incidental expenses in order to begin working at paid employment. The financial plan for the disbursement of the inmate's earnings prepared, as provided in subsection 33-601.602(10), F.A.C., shall provide for the repayment of any such advancement of monies from the inmate's earnings. If the inmate's employment is terminated or if for any other reason the advancement of monies is not repaid from the inmate's earnings, the advancement of monies remains a personal obligation of the inmate and, after suitable proceedings to ensure due process, other sources of funds available to the inmate shall be taken to the extent possible to satisfy the advancement of monies. Any property the inmate has with the department shall be taken to satisfy the debt, provided that before any property is taken, the inmate shall be given a hearing before the classification team

to determine the fact and the amount of the debt. The inmate shall be given 24 hours written notice of such hearing. The inmate shall be allowed to present relevant evidence and argument. All or part of the discharge gratuity as provided in Rule 33-601.502, F.A.C., shall be taken, but only if the Department of Corrections finds that such action will not jeopardize the inmate's ability to transition himself into the community.

(13) through (16) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-14-01, 9-2-01, 10-27-03, 3-2-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE:

Use of Force

RULE NO.:

33-602.210

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify provisions addressing videotaping requirements notification requirements, and use of electronic immobilization devices; correct staff titles; and revise an existing form to delete unnecessary language.

SUMMARY: The proposed rule: clarifies that videotaping is not required when chemical agents are used on an inmate creating a disturbance in his cell when the officer is trying to resolve the situation without cell extraction; clarifies that the duty warden is notified immediately after a spontaneous use of force in the warden's absence; clarifies circumstances under which application of restraints for medical reasons is required to be videotaped only for use of four-point and five-point restraints; replaces title of "OIC" with "shift supervisor"; removes provision allowing use of electronic immobilization devices following administration of chemical agents; revises Refusal of Health Care Services Affidavit to delete unnecessary sections and provide for additional witness.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: (If one has been prepared)

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.35 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.210 Use of Force.

(1) No change.

(2) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible to control the situation and will not be used solely in response to verbal abuse that does not rise to a level of a disturbance. When the use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used. All authorized use of force incidents will be videorecorded in their entirety, except that videotaping the administration of chemical agents is not required for use on an inmate creating a disturbance in his or her cell when the officer is attempting to resolve the situation without extracting the inmate from the cell. Videotaping will be initiated after the final exposure to chemical agents if cell extraction or other uses of force are necessary. All spontaneous use of force incidents will be videotaped from the point the video camera operator arrives at the scene. Videotaping shall continue uninterrupted until the incident is under control, the involved inmate is escorted to medical, and the inmate is subsequently returned to secure housing. Videotaping of post use of force medical exams shall be done in such a manner as to provide the privacy needed for the exam. If it is necessary to transport the inmate to an outside facility for treatment or to another department facility for secure housing purposes, videotaping shall continue until the inmate is loaded and secured in the transport vehicle.

(3) through (4) No change.

(5) The warden or, in his absence, the duty warden will be consulted and give her or his permission prior to use of physical force. In spontaneous use of force incidents when circumstances do not permit prior approval, the warden or in his absence, the duty warden will be notified immediately following any use of force incident. Whenever force is authorized, the employee who was responsible for making the decision to use force pursuant to subsection (1) shall prepare, date and sign the Authorization for Use of Force Report, form DC6-232 either during, or immediately after, the tour of duty when force was used. If the authorization for force is given after normal working hours, the person authorizing the force shall complete and sign Form DC6-232 within one working day (Monday through Friday) following the incident. Form DC6-232 is incorporated by reference in subsection (20) of this rule.

(6) through (9) No change.

(10) Force or restraint may be used to administer medical treatment when ordered by a physician or clinical associate, and only when treatment is necessary to protect the health of other persons, as in the case of contagious and venereal diseases, or when treatment is offered in satisfaction of a duty to protect the inmate against self-inflicted injury or death. The physician or clinical associate shall prepare a report documenting the reasons that force or restraint was authorized. Form DC6-232, Authorization for Use of Force Report, shall be used for this purpose. The physician's or clinical associate's report shall be attached to the Institutions Report of Force Used when actual force is used, or the Incident Report, Form DC6-210, in cases when restraints are applied without the use of force as described above. In each instance a DC4-701C, Emergency Room Record, shall be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. Form DC4-708, Diagram of Injury, shall also be completed in its entirety with applicable data, or the letters N/A used to indicate not applicable. In each case, the examination shall be complete and result in a clear statement by the medical provider that there is or is not an injury, and the record shall provide sufficient documentation to support that conclusion. In all cases where physical force is used to manage an inmate, the inmate and any employee who is involved will be required to receive a medical examination or will sign a Refusal of Health Services Affidavit, Form DC4-711A, declining the examination. In those cases where an injury is claimed but not substantiated by medical examination, the statement by the medical provider shall indicate this, and the documentation shall be sufficient to support that no injury was found upon examination. Forms DC4-711A, DC4-701C and DC4-708 are incorporated by reference in subsection (20) of this rule. When the use of ~~psychiatric restraints (leather or vinyl waist belt, wrist cuffs and leg restraints; protective helmets; four-point or five-point restraints)~~ is authorized and the inmate does not offer resistance to the application of the restraints, the completion of an Institutions Report of Force Used, Form DC6-230, or an Institutions Report of Force Used Staff Supplement, Form DC6-231, will not be required. In these situations, where there is no resistance to the application of psychiatric restraints, the application of the restraints will be videotaped and an Incident Report, Form DC6-210, will be completed. The videotape, the completed incident report, and the completed Authorization for Use of Force Report, Form DC6-232, will be forwarded to the warden or acting warden for review within one working day. The warden will forward the videotape and associated reports to the institutional inspector within five working days. The institutional inspector will ensure that all documentation is complete and will forward all materials to the Office of the Inspector General, as outlined in subsection (8) above, for review. If at any time prior to or during the application of the psychiatric restraints the inmate offers resistance to the application, the steps outlined in

subsection (6) above will be followed, to include the completion of the Authorization for Use of Force Report, Form DC6-232.

- (11) through (13) No change.
- (14) Use of Chemical Agents.

(a) through (l) No change.

(m) Procedure for the use of chemical agents on disruptive inmates under controlled conditions:

1. through 2. No change.

3. Prior to using chemical agents, the inmate again shall be counseled with by the shift supervisor ~~ØIC~~ concerning his behavior.

a. If this attempt to counsel with the inmate is unsuccessful, the inmate will be given a final order by the shift supervisor ~~ØIC~~ to cease his actions. The inmate will also be informed at this time that chemical agents will be administered if he continues his disruptive behavior.

b. through c. No change.

d. If the second administration of chemical agents fails to control the inmate's disruptive behavior, the duty warden shall again be consulted to determine the next course of action. Additional actions include:

I. Additional administration of the same type or other type of chemical agent;

~~H. Use of electronic immobilization devices; and~~

~~II.H. Other uses of force as authorized by this rule.~~

e. No change.

f. Except in cases of extreme emergency as determined by the warden or duty warden, the confinement or close management lieutenant or the shift supervisor shall counsel with, issue the final order, and be present during the administering of chemical agents. If the shift supervisor ~~ØIC~~ is unavailable, the shift supervisor ~~ØIC~~ shall provide a written explanation as to why he was not available to supervise the administration of chemical agents.

(n) through (o) No change.

(p) Inmates exposed to chemical agents shall be ordered by the shift supervisor ~~ØIC~~ to shower and change both inner and outer wear within 20 minutes after exposure for decontamination purposes.

1. through 2. No change.

3. The shift supervisor ~~ØIC~~ shall again order the inmate to shower. If the inmate refuses again, this refusal shall also be documented in writing and witnessed by the shift supervisor ~~ØIC~~ and medical staff.

4. through 5. No change.

(15) through (19) No change.

(20) The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (e) No change.

(f) DC4-711A, Refusal of Health Services Affidavit, effective July 25, 2002.

(g) through (n) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tina Hayes

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 2004

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Works of the District
RULE CHAPTER NO.: 40D-6

RULE TITLES: Policy and Purpose
RULE NOS.: 40D-6.011

Definitions 40D-6.021

Implementation 40D-6.031

Permits Required 40D-6.041

Exemptions 40D-6.051

Encroachment Lines 40D-6.091

Content of Application 40D-6.101

Permit Processing Fee 40D-6.201

Conditions for Issuance of Permits 40D-6.301

Duration of Permits 40D-6.321

Modification of Permits 40D-6.331

Completion Report 40D-6.411

PURPOSE AND EFFECT: The purpose of the proposed rulemaking is to repeal Chapter 40D-6, F.A.C. in its entirety. The effect will be to eliminate an obsolete and unnecessary regulatory requirement for Works of the District permits when activities are proposed that will affect a waterbody adopted by the District as a "Works".

SUMMARY: The proposed rulemaking will repeal Chapter 40D-6, F.A.C. in its entirety.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Chapter 40D-6, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.084, 373.085, 373.086, 373.087, 373.103, 373.109, 373.429, 403.813 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-6.011 Policy and Purpose.

~~(1) The purpose of Chapter 40D-6 of these Rules and Regulations is to implement the declared water policy of the Southwest Florida Water Management District and the state of Florida insofar as it relates to the works of the District. The Southwest Florida Water Management District adopted rules relating to protection of the works of the District on February 20, 1964. The Rules so adopted which are still applicable are set forth herein. The Rules in this Chapter are for the protection of the works of the District.~~

~~(2) The Governing Board of the Southwest Florida Water Management District in discharging its duties and responsibilities, has committed itself in writing to the Secretary of the Army to perform the requirements of local cooperation under the project, "Four River Basins, Florida" (H.D. 585, 87th Congress, 2nd Session). Among these requirements is the following:~~

~~"In the case of all canals, reservoir outlets, floodways, and natural streams on which upstream projects works are provided, the necessary floodway should be preserved or the rights thereon secured to permit discharges which would not cause significant damages under present conditions of development."~~

~~(3) The Southwest Florida Water Management District owns, maintains, or has accepted responsibility for certain canals, water control structures, rights of way, lakes, and streams, as well as other works which are specifically names in this part as the "Works of the District."~~

~~(4) The protection of existing works from actions which would impair its capacity to accomplish the purpose for which it was intended, and the protection of other works for which planning is under way, is the responsibility of this District.~~

~~(5) These regulations establish procedures to be followed by those who find it necessary to connect to, withdraw water from, discharge water into, place construction within or across, or to otherwise make use of the works of the Southwest Florida Water Management District.~~

~~(6) State laws prohibit such work unless approved by the Governing Board of the District. This approval is usually granted in the form of a permit.~~

~~(7) The permit does not convey any property rights or privileges other than those specified in the permit; it does not authorize any injury to private property or invasion of private rights nor does waive the governing requirements of any other agency or authority. It simply expresses the assent of the Southwest Florida water Management District insofar as concerns the public's interest and protection of the water resources of the District.~~

Specific Authority 373.044, 373.113, 373.149, 373.171 FS., 61-691, Laws of Florida. Law Implemented 373.084, 373.085, 373.086, 373.087 FS. History--Readopted 10-5-74, Formerly 16J-1.001, 16J-1.01, Repealed _____.

40D-6.021 Definitions.

The terms set forth herein shall have the meanings ascribed to them unless the context clearly indicates otherwise and such meanings shall apply throughout Chapter 40D-6 of these Rules and Regulations. The terms defined in Rule 40D-1.102 shall also apply throughout Chapter 40D-6.

~~(1) "Tributaries" means the contributing streams and other watercourses including brooks, rills, and rivulets, extending upstream to the point where water usually begins to flow in a regular channel, with an alveus, or bed, and banks or sides, or to the point where the lines of ordinary high water marks converge, whichever extends the farthest up gradient.~~

~~(2) "Work of the District" means any lake or other impoundment, or stream or other watercourse, control structure, or other facility, owned and maintained by the District or adopted by the Governing Board as a work of the District.~~

Specific Authority 373.044, 373.113, 373.149, 371.171 FS., 61-691, Laws of Florida. Law Implemented 373.086 FS. History--Readopted 10-5-74, Formerly 16J-1.002, Repealed _____.

40D-6.031 Implementation.

~~(1) Chapter 40D-6 shall continue to be implemented throughout the entire area which remained as part of the District after the transfer pursuant to Chapter 76-243, Laws of Florida, which occurred at 11:59 p.m. on December 31, 1976; and shall be immediately implemented in the areas transferred as a part of the District pursuant to Chapter 76-243, Laws of Florida, which occurred at 11:59 p.m. on December 31, 1976. In addition, Chapter 40D-6 shall be immediately implemented in the area transferred as a part of the District pursuant to Chapter 78-65, Laws of Florida, which occurred on July 1, 1978. If any provisions of Chapter 40D-6 are inconsistent with prior rules and procedures, the new provisions shall apply commencing July 1, 1977.~~

~~(2) The following have been declared to be "Works of the District" by the Governing Board of the Southwest Florida Water Management District through the adoption of the indicated resolutions and motions:~~

~~(a) The Hillsborough River, its natural floodway and tributaries, connecting channels, canals, and lakes. By Resolution No. 63, dated October 9, 1963.~~

~~(b) The Oklawaha River, its natural floodway and tributaries, connecting channels, canals, and lakes. By Resolution No. 63, dated October 9, 1963.~~

~~(c) The Withlacoochee River, its natural floodway and tributaries, connecting channels, canals, and lakes. By Resolution No. 63, dated October 9, 1963.~~

~~(d) The Peace River, its natural floodway and tributaries, connecting channels, canals, and the lakes which are regulated by the District control structures, including their connecting channels and canals. By Resolution No. 63, dated October 9, 1963.~~

~~(e) The authorized Green Swamp Basin reservoirs, connecting channels, control structures, and discharge channels below reservoirs. (Note: The land areas required for the three (3) areas, reservoirs must be protected against encroachment by private or public works to insure proper functioning of the "Four River Basins, Florida" projects.) By Resolution No. 63, dated October 9, 1963.~~

~~(f) The Anelote River, its natural floodway and tributaries, connecting channels, canals, and lakes. By Resolution No. 63, dated October 9, 1963.~~

~~(g) Lake Tarpon, its connecting channels and canals, including the Lake Tarpon Outfall Canal. By Resolution No. 63, dated October 9, 1963.~~

~~(h) Old Tampa Bay north of Courtney Campbell Causeway and all tributary streams, channels, and canals discharging therein. By Resolution No. 63, dated October 9, 1963.~~

~~(i) The Alafia River, its natural floodway and tributaries, connecting channels, canals, and lakes. By Resolution No. 63-A, adopted March 17, 1965.~~

~~(j) The Little Manatee River, its natural floodway and tributaries, connecting channels, canals, and lakes. By Resolution No. 63 A, adopted March 17, 1965.~~

~~(k) The Palm River and Six Mile Creek, their natural floodways and tributaries, connecting channels, canals, and lakes. By Resolution No. 63, dated October 9, 1963.~~

~~(l) The Pithlachaseootee River, its natural floodway and tributaries, connecting channels, canals, and lakes. By motion adopted March 15, 1967.~~

~~(m) The Waccasassa River, its natural floodway and tributaries, connecting channels, canals, and lakes. By motion adopted March 15, 1967.~~

~~(n) McKay Bay north of 22nd Street Causeway, all tributaries, channels, and canals discharging therein. By motion adopted March 15, 1967.~~

~~(o) The Weeki Wachee River, its natural floodway, tributaries, connecting channels and canals. By motion adopted March 13, 1968.~~

~~(p) Lake Sloan, in Hillsborough County, together with its natural floodways and tributaries, connecting canals and lakes. By Resolution No. 538, dated April 10, 1974.~~

~~(q) Crystal River, its natural floodways and tributaries, connecting channels, canals, and lakes. By Resolution No. 542, dated April 10, 1974.~~

~~(r) Homosasa River, its natural floodways and tributaries, connecting channels, canals, and lakes. By Resolution No. 542, dated April 10, 1974.~~

~~(s) Chassahowitzka River, its natural floodways and tributaries, connecting channels, canals, and lakes. By Resolution No. 542, dated April 10, 1974.~~

~~(t) Bullfrog Creek, north of Big Bend Road (S.R. 672).~~

~~(u) Delany Creek, west of the eastern boundary of Section 30, Township 29S, Range 20E.~~

~~Specific Authority 373.044, 373.113, 373.149, 373.171, F.S., 78-65, Laws of Florida. Law Implemented 373.069, 373.084, 373.085, 373.086, 373.087, F.S. History-Readopted 10-5-74, Amended 7-21-77, 10-16-78, Formerly 16J-1.003, 16J-1.03, Repealed _____.~~

~~40D-6.041 Permits Required.~~

~~Unless expressly exempted under Rule 40D-6.051, a permit shall be required to connect to, withdraw water from, discharge water into, place construction within or across, or otherwise make use of a work of the District or to remove any facility or otherwise terminate such activity.~~

~~Specific Authority 373.044, 373.113, 373.149, 373.171 FS., 61-691, Laws of Florida. Law Implemented 373.084, 373.085, 373.086, 403.813 FS. History-Readopted 10-5-74, Amended 12-31-74, 8-2-78, Formerly 16J-1.05(1), Repealed _____.~~

~~40D-6.051 Exemptions.~~

~~A permit shall not be required:~~

~~(1) To remove any dock, pier, piling, or boat house.~~

~~(2) To construct, alter, or remove any pumping facility withdrawing water from any stream, lake, or pond for individual domestic use or for watering residential lawns and shrubs so long as such activity does not breach or alter the bank of shoreline or constitute a hindrance to the flow of any stream or other watercourse which is a work of the District, provided however, that Chapter 40D-2 shall apply to the use of water for such purposes.~~

~~(3) To temporarily dewater an area within the limits of a work of the District for construction, alteration, or repair of buildings or other foundations and roadways, or during installation, alteration, or repair of utility pipelines, cables, culverts, and catch basins, when such temporary dewatering will be for a period not exceeding six (6) months; provided however, that the District shall be advised in writing prior to commencing such activity. A permit shall be required prior to continuation of dewatering activities beyond the initial six (6) month period.~~

~~(4) For activities exempted from Chapter 373 permits by Section 403.813(2), Florida Statutes, as amended by Chapter 78-146, Laws of Florida.~~

~~(5) For activities which receive an Environmental Resource Permit from the District under Chapters 40D 4, 40 or 400, F.A.C.~~

~~Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 403.813 FS. History-Readopted 10-5-74, Amended 12-31-74, 8-2-78, Formerly 16J-1.051(2), Amended 10-26-00, Repealed _____.~~

40D-6.091 Encroachment Lines.

~~(1) The Board, after Notice and hearing, may establish encroachment lines and prohibit or restrict construction out into the waters in works of the District beyond such lines.~~

~~(2) Encroachment lines shall become effective upon recording in the public records of the county wherein such lines are located.~~

~~(3) Hillsborough River Encroachment Line.~~

~~(a) No solid fill, bulkhead or seawall will be allowed out into the Hillsborough River, in Hillsborough County, beyond an encroachment line which has been established by the Governing Board for that portion of the river extending downstream from the City of Tampa Dam to the Columbus Drive Bridge unless an exception is granted by the Board as provided in Rule 40D-6.301(3).~~

~~(b) A legal description of this encroachment line has been recorded in the Official Record book 2047, beginning on page 499 of the Public Records of Hillsborough County, Florida. Aerial photo maps upon which have been shown the location of such encroachment line have also been recorded in the same Official Record Book beginning on page 505.~~

~~Specific Authority 373.044, 373.113, 373.149, 373.171 FS., 61-691, Laws of Florida. Law Implemented 373.084, 373.085, 373.086 FS. History-Readopted 10-5-74, Amended 8-11-80, Formerly 16J-1.40, 16J-1.41, Repealed _____.~~

40D-6.101 Content of Application.

~~(1) A Permit application shall be sworn to and dated by the applicant or his duly authorized agent and shall be filed with the Board on forms provided by the Board which shall include:~~

~~(a) The name and address of the applicant.~~

~~(b) The name and address of the owner or owners of the land upon which the construction or alteration is to take place, and a legal description of such land.~~

~~(c) Location of the work.~~

~~(d) Plans and specifications.~~

~~(e) The name and address of the person who prepared the plans and specifications.~~

~~(f) The name and address of the person who will construct the proposed work, when available.~~

~~(2) The Board may also require the applicant to submit other information deemed necessary.~~

~~Specific Authority 373.044, 373.113, 373.149, 373.171 FS., 61-691, Laws of Florida. Law Implemented 373.084, 373.085, 373.086 FS. History-Readopted 10-5-74, Amended 12-31-74, Formerly 16J-1.06(1),(2), Repealed _____.~~

40D-6.201 Permit Processing Fee.

~~A permit processing fee shall be paid to the District at the time a permit application is filed in the amount prescribed in the schedule set forth in Rule 40D-1.607(12), F.A.C.~~

~~Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.109 FS. History-Readopted 10-5-74, Formerly 16J-1.061, Amended 10-26-00, Repealed _____.~~

40D-6.301 Conditions for Issuance of Permits.

~~(1) To obtain a permit under Chapter 40D-6, the permitted activity:~~

~~(a) Must be reasonable and beneficial; and~~

~~(b) Must not be inconsistent with the public interest.~~

~~(2) Issuance of a permit will be denied if the permitted activity:~~

~~(a) Will place fill material, or any non water use related structure within the mean annual floodplain of a lake or other impoundment, or of a stream or other watercourse.~~

~~(b) Will cause significant adverse effects on lands not owned, leased, or otherwise controlled by the applicant by drainage or inundation.~~

~~(c) Will restrict or alter the rate of flow of a stream or other watercourse within the floodplain of a twenty five (25) year flood unless the land is owned, leased, or otherwise controlled by the applicant.~~

~~(d) Will place solid fill, a bulkhead, or a seawall beyond a line of encroachment established by the Board.~~

~~(e) Will cause an increase or decrease in the rate of flow of a stream or other watercourse by five percent (5%) or more.~~

~~(f) Will cause an increase in the peak rate of flow or total volume of storm runoff by ten percent (10%) or more from lands owned, leased, or otherwise controlled by applicant.~~

~~(3) The Board for good cause shown may grant exceptions to the provisions of subsection (2) above when, after consideration of all data presented, including economic information, it finds that it is not inconsistent with the public interest.~~

~~Specific Authority 373.044, 373.113, 373.149, 373.171 FS., 61-691, Laws of Florida. Law Implemented 373.084, 373.085, 373.086 FS. History-Readopted 10-5-74, Amended 12-31-74, 8-11-80, Formerly 16J-1.06(3),(4),(5), Repealed _____.~~

40D-6.321 Duration of Permits.

~~Unless revoked or otherwise modified, the duration of a Works of the District Permit issued pursuant to this chapter is:~~

~~(1) Five years from the date of issuance to the completion of construction and submittal of the Statement of Completion and Request for Transfer to Operation Entity, including the supporting as built documents;~~

~~(2) perpetual from the date of authorization by the District for operation by the entity identified in the permit.~~

~~Specific Authority 373.044, 373.113, 373.149, 373.171 FS., Law Implemented 373.084, 373.085, 373.086, 371.103 FS. History-New 10-26-00, Repealed _____.~~

40D-6.331 Modification of Permits.

~~The Board may modify or revoke a permit at any time if it determines that the permitted work or works has become a danger to the public health or safety or if its operation has become inconsistent with the objectives of the District or is in violation of any regulation or order of the District, or the conditions of the permit.~~

Specific Authority 373.044, 373.113, 373.149, 373.171 FS., 61-691, Laws of Florida. Law Implemented 373.084, 373.085, 373.086 FS. History-Readopted 10-5-74, Amended 12-31-74, Formerly 16J-1.06(3),(4),(5), Amended 7-2-98, Repealed _____.

40D-6.411 Completion Report.

~~Within thirty (30) days after the completion of construction or alteration for which a permit was granted by the District, the permittee shall file with the District a Statement of Completion and Request for Transfer to Operation Entity, as identified in Rule 40D-1.659, F.A.C.~~

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.084, 373.085, 373.086 FS. History-Readopted 10-5-74, Formerly 16J-1.10, Amended 10-26-00, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Governing Board of the Southwest Florida Water Management District

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2004

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Outpatient Hospital Services
RULE NO.: 59G-4.160

PURPOSE AND EFFECT: The purpose of the rule amendment is to incorporate by reference the Florida Medicaid Provider Reimbursement Handbook, UB-92, April 2004. The handbook has been substantively rewritten; the policy has been updated; and the chapters have been renumbered. The handbook revisions also include the Health Insurance Portability and Accountability Act (HIPAA) requirements and modifications in procedure code and claim form combinations due to HIPAA. The effect will be to incorporate by reference the Florida Medicaid Provider Reimbursement Handbook, UB-92, April 2004, in the rule.

SUMMARY: The proposed rule incorporates by reference the Florida Medicaid Provider Reimbursement Handbook, UB-92, April 2004. The handbook content was reorganized; and the Health Insurance Portability and Accountability Act (HIPAA) requirements were added.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

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

TIME AND DATE: 9:00 a.m., Tuesday, September 7, 2004

PLACE: Agency for Health Care Administration, 2728 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Bassett, Bureau of Medicaid Services, 2728 Fort Knox Boulevard, Building 3, Mail Stop 20, Tallahassee, FL 32308, (850)922-7724

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.160 Outpatient Hospital Services.

(1) This rule applies to all hospital providers enrolled in the Medicaid program.

(2) All hospital providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Hospital Services Coverage and Limitations Handbook, March 2003, and the Florida Medicaid Provider Reimbursement Handbook, UB-92, April 2004 ~~October 1998~~, both incorporated by reference in this rule. Both handbooks are available from the Medicaid fiscal agent contractor.

Specific Authority 409.919 FS. Laws Implemented 409.905, 409.908, 409.9081 FS. History-New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, 8-12-01, 2-25-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melissa Bassett

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Alan Levine, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 23, 2004

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

RULE TITLE: MyFloridaMarketPlace Transaction Fee
RULE NO.: 60A-1.031

PURPOSE AND EFFECT: The purpose of this rule amendment is modify PUR 3776 and corresponding changes to the rule text. The modification will allow vendors to stop reporting fees based on Purchasing Card Transactions.

SUMMARY: Vendors required to complete PUR 3776 will no longer report fees for those transactions made through the Purchasing Card. The form instructions are modified to so indicate.

SPECIFIC AUTHORITY: 287.042(12), 287.057(23) FS.

LAW IMPLEMENTED: 287.032, 287.042, 287.057 FS.

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

TIME AND DATE: 1:30 p.m., September 7, 2004

PLACE: Room 101, 4050 Esplanade Way, Tallahassee, Florida, 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Brown, State Purchasing, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)488-3049, Fax (850)414-6122, e-mail: brownr2@dms.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.031 MyFloridaMarketPlace Transaction Fee.

(1) Each agency shall include language substantially similar to the following in the terms and conditions of all agency purchasing transactions involving commodities and contractual services as defined in Section 287.012, F.S. (including formal solicitations, contracts, and purchase orders), unless the transaction is exempt from the Transaction Fee pursuant to Rule 60A-1.032, F.A.C.:

MyFloridaMarketPlace Transaction Fee

The State of Florida, through the Department of Management Services, has instituted MyFloridaMarketPlace, a statewide eProcurement system. Pursuant to Section 287.057(23), F.S., (2002), all payments shall be assessed a Transaction Fee of one percent (1.0%), which the vendor shall pay to the State. For payments within the State accounting system (FLAIR or its successor), the Transaction Fee shall, when possible, be automatically deducted from payments to the vendor. If automatic deduction is not possible, the vendor shall pay the Transaction Fee pursuant to subsection 60A-1.031(2), F.A.C. By submission of these reports and corresponding payments, vendor certifies their correctness. All such reports and payments shall be subject to audit by the State or its designee.

The vendor shall receive a credit for any Transaction Fee paid by the vendor for the purchase of any item(s) if such item(s) are returned to the vendor through no

fault, act, or omission of the vendor. Notwithstanding the foregoing, a Transaction Fee is non-refundable when an item is rejected or returned, or declined, due to the vendor's failure to perform or comply with specifications or requirements of the agreement.

Failure to comply with these requirements shall constitute grounds for declaring the vendor in default and recovering reprourement costs from the vendor in addition to all outstanding fees.

VENDORS DELINQUENT IN PAYING TRANSACTION FEES SHALL BE EXCLUDED FROM CONDUCTING FUTURE BUSINESS WITH THE STATE.

(2) On a monthly calendar basis, each vendor registered in MyFloridaMarketPlace shall report its business activity relating to State agreements using Form PUR 3776 (08/04) ~~(09/03)~~, which is hereby incorporated by reference.

(a) The vendor shall report (i) the total amount of payments received against State agreements during the reporting period (excluding Purchasing Card transactions occurring after June 30, 2004), (ii) the portion of that total that is exempt from the Transaction Fee pursuant to Rule 60A-1.032, F.A.C., (iii) the amount of Transaction Fees that have been automatically deducted by the system, and (iv) the amount of Transaction Fees that have been billed by the system but not automatically deducted.

(b) With its report, the vendor shall include payment of any Transaction Fee amounts due for the reporting period that have not been automatically deducted. Amounts due include both the amount billed during the reporting period and any amounts not billed but otherwise due (e.g., sales to non-State entities eligible to purchase from State contracts).

(c) A report is required only when fee-eligible payments have been received during the reporting period (no report is required if all payments are exempt from the Transaction Fee); provided, however, that if total Transaction Fees due are less than \$50, a vendor may carry over the balance to the next reporting period.

(d) All information provided by the vendor is material and will be relied upon by the Department in administering MyFloridaMarketPlace. Failure to file a report shall be deemed a representation by the vendor that it received no reportable payments for the period and that it owes no Transaction Fees. Any knowing and material misstatement shall be treated as fraudulent concealment from the State of the true facts relating to the conduct of the vendor's business with the State. A misrepresentation shall be punishable under law, and shall be grounds for precluding the vendor from doing future business with the State.

Specific Authority 287.042(12), 287.057(23) FS. Law Implemented 287.032, 287.042, 287.057 FS. History--New 7-1-03, Amended 2-11-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Hosay, Deputy Secretary, Department of Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: William Simon, Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 2004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLES: RULE NOS.:
Requirements for Burglar Alarm System Agent Identification Card 61G6-12.0015
Continuing Education Requirements for Burglar Alarm System Agents 61G6-12.0016

PURPOSE AND EFFECT: The proposed rules are intended to set forth criteria to be included on burglar alarm system agent identification cards and to set forth continuing education requirements for burglar alarm system agents.

SUMMARY: The proposed rules specify: (1) that a licensee shall issue identification cards to each of the alarm system agents and the exact information that the cards must contain, and (2) that every 2 years, a burglar alarm system agent must complete 6 hours of continuing education training in an approved course relating to the subjects of burglar alarm system installation and false alarm prevention. Identification cards shall be reissued stating that such continuing education requirement has been met.

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: 489.507(3) FS.

LAW IMPLEMENTED: 489.507(3), 489.518(4)(a),(b),(d),(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Knap, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G6-12.0015 Requirements for Burglar Alarm System Agent Identification Card.

After the completion of the course outlined in Rule 61G6-12.001, F.A.C., the licensee shall issue identification cards to each of the alarm system agents. The card shall be at least 3 1/4 x 2 1/4 inches in size. The card shall contain: 1 x 1 1/4 inch full face picture of the alarm system agent; name of the holder of the card; name and license number of the unlimited electrical contractor or licensed alarm system contractor; name and address of the business organization; signature of the contractor and the card holder; and issue date and expiration date of the card. The expiration date must be within 2 years of the issue date. The identification card must be in the possession of the burglar alarm system agent while engaged in all burglar alarm system agent duties. The card shall be issued in the following format:

<u>BURGLAR ALARM SYSTEM AGENT</u>	
<u>The bearer of this card has met the training requirements pursuant to Chapter 489.518, Florida Statutes.</u>	
<u>PHOTO HERE</u>	<u>Name: Tom Brown</u>
	<u>Business: Alarm Center, Inc.,</u>
	<u>Address: 1940 N. Monroe St.</u>
	<u>Tallahassee, FL 32399</u>
	<u>Signature: Tom Brown</u>
<hr/>	
<u>Qualifier: John Doe</u>	<u>License # EC 0012345</u>
<u>Signature: John Doe</u>	
<u>Issued: October 1, 2004</u>	<u>Expires: September 30, 2006</u>

<u>BURGLAR ALARM SYSTEM AGENT</u>	
<u>The bearer of this card has met the training and CE requirements pursuant to Chapter 489.518, Florida Statutes.</u>	
<u>PHOTO HERE</u>	<u>Name: Tom Brown</u>
	<u>Business: Alarm Center, Inc.,</u>
	<u>Address: 1940 N. Monroe St.</u>
	<u>Tallahassee, FL 32399</u>
	<u>Signature: Tom Brown</u>
<hr/>	
<u>Qualifier: John Doe</u>	<u>License # EC 0012345</u>
<u>Signature: John Doe</u>	
<u>Issued: October 1, 2004</u>	<u>Expires: September 30, 2006</u>

Specific Authority: 489.507(3) FS. Law Implemented: 489.507(3), 489.518(4)(a),(b) FS. History--New

61G6-12.0016 Continuing Education Requirements for Burglar Alarm System Agents. Each burglar alarm system agent must attend 6 hours of Board-approved continuing education on burglar alarm system installation and repair and false alarm prevention every 2 years, from a Board-approved sponsor of training and through a Board-approved training course as outlined in Rule Chapter 61G6-12.001, F.A.C. The contractor shall reissue an identification card which shall state the bearer of the card has met the 6 hours of continuing education pursuant to Chapter 489.5185, F.S.

Specific Authority 489.507(3) FS. Law Implemented 489.507(3), 489.518(4)(d),(5) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 21, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 2, 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 Opticianry

RULE TITLE: Licenses
RULE NO.: 64B12-10.004
PURPOSE AND EFFECT: The Board proposes to repeal a rule.
SUMMARY: The Board is repealing the rule requirement that the license be conspicuously displayed in a public area.
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: 484.005 FS.
LAW IMPLEMENTED: 484.013(1), 484.001 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: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-10.004 Licenses.

Specific Authority 484.005 FS. Law Implemented 484.013(1), 484.001 FS. History--New 12-6-79, Formerly 21P-10.04, Amended 3-30-89, Formerly 21P-10.004, 61G13-10.004, 59U-10.004, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2004

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLES:	RULE NOS.:
Application Fees	64B16-26.1001
Initial License Fees	64B16-26.1002
Active License Renewal Fees	64B16-26.1003
Inactive License Renewal Fees	64B16-26.1004
Approved Continuing Education Provider Renewal Fee	64B16-26.1012
Delinquent License Reinstatement Fees	64B16-26.1021
Permit Fees	64B16-26.1022

PURPOSE AND EFFECT: The Board proposes new rules in order to consolidate all licensure fee requirements sequentially into Chapter 64B16-26, F.A.C.

SUMMARY: The proposed new rules set forth licensure fee requirements.

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(9), 456.036, 465.005, 465.008, 465.009 465.012, 465.0125, 465.0126, 465.022(8), 456.036 FS.

LAW IMPLEMENTED: 456.013(2),(9), 456.036, 456.065(3), 465.007, 465.0075, 465.008, 465.009, 465.012, 465.0125, 465.0126, 465.022(8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Danna Droz, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-26.1001 Application Fees.

(1) The non-refundable application fee for licensure by examination shall be \$100, payable to the Board. Examination fees for the National Practice Examination and jurisprudence examination are payable to the examination vendor.

(2) The non-refundable application fee licensure by endorsement shall be \$100, payable to the Board.

(3) The non-refundable application fee for a continuing education provider seeking approved provider status shall be \$150, payable to the Board.

(4) The non-refundable application fee for individual continuing education course approval for non-approved continuing education providers shall be \$50 for each course submitted for approval, payable to the Board.

Specific Authority 465.005, 465.009 FS. Law Implemented 465.007, 465.0075, 465.009 FS. History—New _____.

64B16-26.1002 Initial License Fees.

(1) The initial license fee for a pharmacist license shall be \$190 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(2) The initial license fee for a consultant pharmacist license shall be \$50 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(3) The initial license fee for a nuclear pharmacist license shall be \$50 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

Specific Authority 465.005, 465.0125, 465.0126 FS. Law Implemented 456.013(2), 456.065(3), 465.0125, 465.0126 FS. History—New _____.

64B16-26.1003 Active License Renewal Fees.

(1) The biennial license renewal fee for an active pharmacist license shall be \$245 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(2) The biennial license renewal fee for a consultant pharmacist license shall be \$50 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(3) The biennial license renewal fee for a nuclear pharmacist license shall be \$100 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

Specific Authority 456.036, 465.005, 465.008, 465.0125, 465.0126 FS. Law Implemented 456.036, 456.065(3), 465.008, 465.0125, 465.0126 FS. History—New _____.

64B16-26.1004 Inactive License Renewal Fees.

(1) A licensee may elect:

(a) At the time of license renewal to place the license on inactive status by submitting a written request with the board for inactive status and submitting the inactive status fee of \$245 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(b) At the time of license renewal, if the license is inactive, to continue the license on inactive status by submitting a written request with the board for inactive status and submitting the inactive status renewal fee of \$245 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(c) At the time of license renewal to change the inactive status license to active status, provided the licensee meets the continuing education requirements of Rule 64B16-26.103, F.A.C., for each biennium the license was on inactive status, submits the reactivation fee of \$70, and the current active renewal fee set forth in Rule 64B16-26.1001, F.A.C.

(d) At a time other than license renewal to change the inactive status license to active status, provided the licensee meets the continuing education requirements of Rule 64B16-26.103, F.A.C., for each biennium the license was on inactive status and submits the reactivation fee of \$70, the current renewal fee set forth in Rule 64B16-26.1001, F.A.C., and a change of status fee of \$25.

(2) A consultant pharmacist licensee may elect:

(a) At the time of license renewal to place the license on inactive status by submitting a written request with the board for inactive status and submitting the inactive status fee of \$50 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(b) At the time of license renewal, if the consultant pharmacist license is inactive, to continue the license on inactive status by submitting a written request with the board for inactive status and submitting the inactive status renewal fee of \$50 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(c) At the time of license renewal to change the inactive status consultant pharmacist license to active status, provided the consultant pharmacist licensee meets the continuing education requirements of Rule 64B16-26.103(2), F.A.C., for each biennium the license was on inactive status and by submitting a reactivation fee of \$25, and the active consultant pharmacist renewal fee set forth in Rule 64B16-26.1003, F.A.C.

(d) At a time other than license renewal to change the inactive status license to active status by submitting a reactivation fee of \$25, a change of status fee of \$25, and the active consultant pharmacist renewal fee set forth in Rule 64B16-26.1003, F.A.C.

(3) A nuclear pharmacist licensee may elect:

(a) At the time of license renewal to place the nuclear pharmacist license on inactive status by submitting a written request with the board for inactive status and submitting the inactive status fee of \$100 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(b) At the time of license renewal, if the nuclear pharmacist license is inactive, to continue the license on inactive status by submitting a written request with the board for inactive status and submitting the inactive status renewal fee of \$100 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(c) At the time of license renewal to change the inactive status license to active status by submitting a reactivation fee of \$50, and the active nuclear license renewal fee set forth in Rule 64B16-26.1003, F.A.C.

(d) At a time other than license renewal to change the inactive status license to active status, provided the nuclear pharmacist licensee meets the continuing education requirements of Rule 64B16-28.904, F.A.C., for each biennium the license was on inactive status and by submitting a reactivation fee of \$50, a change of status fee of \$25, and the active nuclear license renewal fee set forth in Rule 64B16-26.1003, F.A.C.

Specific Authority 456.036, 465.005, 465.012, 465.0125, 456.0126 FS. Law Implemented 456.036, 456.065(3), 465.012, 465.0125, 465.0126 FS. History—New _____.

64B16-26.1012 Approved Continuing Education Provider Renewal Fee.

The biennial fee to renew as an approved continuing education provider shall be \$150.

Specific Authority 456.013(9), 465.005 FS. Law Implemented 456.013(9), 465.009, 465.012 FS. History—New _____.

64B16-26.1021 Delinquent License Reinstatement Fees.

(1) An active or inactive license that is not renewed by midnight of the expiration date of the license shall automatically revert to delinquent status.

(2) A licensee may request that a delinquent license be reinstated to active or inactive status by submitting the delinquent fee of \$245 plus the current fee for an active status or inactive status license set forth in Rule 64B16-26.1003, F.A.C., or Rule 64B16-26.1004, F.A.C.

(3) A consultant pharmacist licensee may request that a delinquent consultant pharmacist license be reinstated to an active or inactive status by submitting a delinquent fee of \$25 plus the current fee for an active or inactive status consultant pharmacist license set forth in Rule 64B16-26.1003, F.A.C., or Rule 64B16-26.1004, F.A.C.

(4) A nuclear pharmacist licensee may request that a delinquent nuclear pharmacist license be reinstated to an active or inactive license status by submitting a delinquent fee of

\$100 plus the current fee for an active or inactive nuclear pharmacist license set forth in Rule 64B16-26.1003, F.A.C., or Rule 64B16-26.1004, F.A.C.

(5) A license in delinquent status that is not renewed prior to midnight of the expiration date of the current licensure cycle shall be rendered null without any further action by the Department. Any subsequent license shall be the result of applying for and meeting all requirements imposed on an applicant for new licensure.

Specific Authority 456.036, 465.005, 465.012 FS. Law Implemented 456.036, 465.012 FS. History—New _____.

64b16-26.1022 Permit Fees.

(1) The initial permit fee for a pharmacy, as provided by Section 465.022(8)(a), F.S., shall be \$250.

(2) The biennial permit renewal fee for a pharmacy, as provided by Section 465.022(8)(b), F.S., shall be \$250.

(3) The change of location fee for a pharmacy, as provided by Section 465.022(8)(d), F.S., shall be \$100.

(4) The delinquent fee for a pharmacy permit, as provided by Section 465.022(8)(c), F.S., shall be \$100.

Specific Authority 465.005, 465.022(8) FS. Law Implemented 465.022(8) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 2004

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE TITLE: Continuing Education Requirements for
RULE NO.: 64B32-6.007

Reactivation of License
PURPOSE AND EFFECT: This rule is to satisfy a directive required by the practice act.

SUMMARY: The Board determined the requirements for reactivation of a license to include documented proof of continuing education during and immediately preceding the period of inactive licensure.

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

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

SPECIFIC AUTHORITY: 456.036, 468.353 FS.

LAW IMPLEMENTED: 468.363 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-6.007 Continuing Education Requirements for Reactivation of License.

The continuing education requirements for reactivation of a license shall be:

(1) Those requirements specified in Section 456.036(10), Florida Statutes; and

(2) Documented proof of completion of 24 hours of approved continuing education as provided in this rule chapter and including HIV/AIDS and medical error prevention, for the preceding biennium during which the licensee held an active license.

Specific Authority 456.036, 468.353 F.S. Law Implemented 468.363 F.S. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Respiratory Care

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 23, 2004

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE NO.:	RULE TITLE:
60A-1.002	Purchase of Commodities and Contractual Services

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., originally published in Vol. 30, No. 14, April 2, 2004 issue of the Florida Administrative Weekly: Changes to PUR 1000, changes to PUR 1001, and a citation correction in the rule text.

The following changes have been made to PUR 1000: Deletion of paragraph 19 "Compliance with Laws;" Rewording paragraph 1 to properly reflect the application of Chapter 287 definitions and to remove the definition of "Contractor," as this word is defined in Chapter 287; fixing statutory citations in paragraph 2; removing all instances of "and/or" in the document and replaced them with "and" or "or," as appropriate; adding a sentence at the end of the Transaction Fee paragraph, to include a pointer to the Termination for Cause paragraph; modifying the Lobbying and Integrity paragraph to resolve matters of statutory authority; defining "Chief Financial Officer" in the paragraph involving Leases; rewording the paragraphs involving PRIDE and RESPECT in order to accurately capture the intent of the underlying statutory references; modifying the paragraph regarding independent contractors to resolve a question of statutory authority; modifying the Insurance paragraph to remove specific limits, in order to resolve a question of statutory authority; and fixing the internal citation in the last paragraph.

The following changes have been made to PUR 1001: Rewording paragraph 1 to properly reflect the application of Chapter 287, F.S., definitions; removing a portion of the Public Records paragraph to resolve an issue of statutory authority; and modifying the Protest paragraph to properly quote the several statutory references.

Copies of the amended forms are available upon request.

PROPOSED RULE 60A-1.002 IS CHANGED TO READ AS FOLLOWS:

60A-1.002 Purchase of Commodities and Contractual Services.

(1) Agencies are delegated the conditional authority to purchase commodities or contractual services (except insurance, unless permitted pursuant to Section 287.022, F.S.) The conditions of this delegation are (i) that the agencies comply with the requirements of subsection 287.042(12)(13), F.S.; (ii) that State Purchasing retains the full supervisory authority provided by that subsection; and (iii) that State Purchasing reserves the right to rescind the authority delegated to all agencies by amendment to this rule and reserves the right to rescind the authority delegated to an agency for failure to comply with that subsection.

(2) through (7) No change.

Specific Authority 287.042 FS. Law Implemented 287.042, 287.057 FS. History—New 5-20-64, Amended 4-4-67, Revised 2-6-68, Amended 2-8-69, Revised 5-20-71, Amended 7-31-75, 10-1-78, Revised 11-14-79, Amended 8-18-80, 8-6-81, 10-13-83, 3-1-84, 3-14-84, 11-12-84, 2-28-85, 12-17-85, Formerly 13A-1.02, Amended 6-5-86, 2-9-87, 11-3-88, 1-18-90, 4-10-91, 9-1-92, Formerly 13A-1.002, Amended 4-24-94, 1-9-95, 1-1-96, 3-21-96, 9-23-96, 7-6-98, 1-2-00,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Brown, State Purchasing, 4050 Esplanade Way, Tallahassee, FL, 32399, (850)488-3049, Fax (850)414-6122, e-mail: brownr2@dms.state.fl.us

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER NO.: 60C-1
 RULE CHAPTER TITLE: Regulated Communications Services

RULE NOS.:
 60C-1.001 General
 60C-1.002 Definitions
 60C-1.003 Communication Service Authorization (CSA)
 60C-1.004 Agency Communication Service Authorization (CSA) Representative
 60C-1.005 Centralized Telecommunications Billings
 60C-1.006 Telecommunications Billing Information
 60C-1.007 Telecommunications Service Proposals
 60C-1.008 Florida State Telephone Directory

NOTICE OF CORRECTION

Notice is hereby given that the rule histories for these proposed rules in the Florida Administrative Weekly, Vol. 30, No. 25, June 18, 2004 are inaccurate in that each rule should not be characterized as repealed, but rather transferred to a new Rule Chapter, Rule Chapter 60DD-4, F.A.C. Rule 60C-1.001, F.A.C., is transferred and amended as Proposed Rule 60DD-4.001, F.A.C. Rule 60C-1.002, F.A.C., is transferred and amended as Proposed Rule 60DD-4.002, F.A.C. Rule 60C-1.003, F.A.C., is transferred and amended as Proposed Rule 60DD-4.003, F.A.C. Rule 60C-1.004, F.A.C., is likewise transferred and amended as Proposed Rule 60DD-4.003, F.A.C. Rule 60C-1.005, F.A.C., is transferred and amended as Proposed Rule 60DD-4.004, F.A.C. Rule 60C-1.006, F.A.C., is likewise transferred and amended as Proposed Rule 60DD-4.004, F.A.C. Rule 60C-1.007, F.A.C., is transferred and amended as Proposed Rule 60DD-4.005, F.A.C. Rule 60C-1.008, F.A.C., is transferred and amended as Proposed Rule 60DD-4.006, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office,

Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER NO.: 60C-2
 RULE CHAPTER TITLE: Communications Procurement of Customer-Owned Equipment

RULE NOS.:
 60C-2.001 General
 60C-2.003 Standard
 60C-2.004 Technical Evaluation of Communications Proposals
 60C-2.005 Initiation or Revision of Standard Specification for Communications Equipment
 60C-2.006 Single Agency Procurement Requirements
 60C-2.007 Special or Unique Communications Requirements
 60C-2.008 Communications Purchase or Lease Authorization (CPLA) Form (COM 9008)
 60C-2.009 Delegation to the State University System

NOTICE OF CORRECTION

Notice is hereby given that the rule histories for these proposed rules in the Florida Administrative Weekly, Vol. 30, No. 25, June 18, 2004 are inaccurate in that each rule should not be characterized as repealed, but rather transferred to a new Rule Chapter, Rule Chapter 60DD-5, F.A.C. Rule 60C-2.001, F.A.C., is transferred and amended as Proposed Rule 60DD-5.001, F.A.C. Rule 60C-2.003, F.A.C., is transferred and amended as Proposed Rule 60DD-5.004, F.A.C. Rule 60C-2.004, F.A.C., is also transferred and amended as Proposed Rule 60DD-5.004, F.A.C. Rule 60C-2.005, F.A.C., is likewise transferred and amended as Proposed Rule 60DD-5.004, F.A.C. Rule 60C-2.006, F.A.C., is transferred and amended as Proposed Rule 60DD-5.005, F.A.C. Rule 60C-2.007, F.A.C., is likewise transferred and amended as Proposed Rule 60DD-5.005, F.A.C. Rule 60C-2.008, F.A.C., is transferred and amended as Proposed Rule 60DD-5.002, F.A.C. Rule 60C-2.009, F.A.C., is transferred and amended as Proposed Rule 60DD-5.003, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60C-6	Eligibility and Use of State Communications System
RULE NOS.:	RULE TITLES:
60C-6.001	General
60C-6.002	Definitions
60C-6.004	Cost Qualification Criteria for the State Communications System
60C-6.005	Agreements
60C-6.006	Review and Eligibility of Users
60C-6.007	Modifications, Additions, Reductions or Terminations to Existing SUNCOM or Telpak Service Initiated by a User
60C-6.008	Additions or Modifications to Existing SUNCOM Service Initiated by the Division
60C-6.009	Actions Initiated by the Division of Communications Resulting in Termination or Reduction of State Communications Services

NOTICE OF CORRECTION

Notice is hereby given that the rule histories for these proposed rules in the Florida Administrative Weekly, Vol. 30, No. 25, June 18, 2004 are inaccurate in that each rule should not be characterized as repealed, but rather transferred to a new Rule Chapter, Rule Chapter 60DD-6, F.A.C. Rule 60C-6.001, F.A.C., is transferred and amended as Proposed Rule 60DD-6.001, F.A.C. Rule 60C-6.002, F.A.C., is transferred and amended as Proposed Rule 60DD-6.002, F.A.C. Rule 60C-6.004, F.A.C., is also transferred and amended as Proposed Rule 60DD-6.003, F.A.C. Rule 60C-6.005, F.A.C., is transferred and amended as Proposed Rule 60DD-6.004, F.A.C. Rule 60C-6.006, F.A.C., is transferred and amended as Proposed Rule 60DD-6.005, F.A.C. Rule 60C-6.007, F.A.C., is transferred and amended as Proposed Rule 60DD-6.006, F.A.C. Rule 60C-6.008, F.A.C., is transferred and amended as Proposed Rule 60DD-6.007, F.A.C. Rule 60C-6.009, F.A.C., is likewise transferred and amended as Proposed Rule 60DD-6.007, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60DD-4	Communications Services
RULE NOS.:	RULE TITLES:
60DD-4.001	General
60DD-4.002	Definition
60DD-4.003	Communication Service Authorization; Administration; Approval
60DD-4.004	Centralized Communications Billing
60DD-4.005	Communications Service Proposals
60DD-4.006	Florida State Government Listings

NOTICE OF CORRECTION

Notice is hereby given that the rule histories for these proposed rules published in the Florida Administrative Weekly, Vol. 30, No. 25, June 18, 2004 are inaccurate in that each rule should not be characterized as new, but rather each rule represents a substantially amended version of a rule transferred from Rule Chapter 60C-1, F.A.C. Proposed Rule 60DD-4.001, F.A.C., was formerly 60C-1.001, F.A.C. Proposed Rule 60DD-4.002, F.A.C., was formerly 60C-1.002, F.A.C. Proposed Rule 60DD-4.003, F.A.C., was formerly 60C-1.003 and 60C-1.004, F.A.C. Proposed Rule 60DD-4.004, F.A.C., was formerly 60C-1.005 and 60C-1.006, F.A.C. Proposed Rule 60DD-4.005, F.A.C., was formerly 60C-1.007, F.A.C. Proposed Rule 60DD-4.006, F.A.C., was formerly 60C-1.008, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60DD-5	Procurement of Customer-Owned or Leased Communications Equipment and Services
RULE NOS.:	RULE TITLES:
60DD-5.001	General
60DD-5.002	Approval Thresholds; Exemptions; Requests; Documentation
60DD-5.003	Delegation to the Department of Education
60DD-5.004	Specifications for State Purchasing and State Technology Office Contracts
60DD-5.005	Special or Unique Agency Communications Requirements

NOTICE OF CORRECTION

Notice is hereby given that the rule histories for these proposed rules published in the Florida Administrative Weekly, Vol. 30, No. 25, June 18, 2004 are inaccurate in that each rule should not be characterized as new, but rather each rule represents a substantially amended version of a rule transferred from Rule Chapter 60C-2, F.A.C.

Proposed Rule 60DD-5.001, F.A.C., was formerly 60C-2.001, F.A.C. Proposed Rule 60DD-5.002, F.A.C., was formerly 60C-2.008, F.A.C. Proposed Rule 60DD-5.003, F.A.C., was formerly 60C-2.009, F.A.C. Proposed Rule 60DD-5.004, F.A.C., was formerly Rules 60C-2.003, 60C-2.004 and 60C-2.005, F.A.C. Proposed Rule 60DD-5.005, F.A.C., was formerly 60C-2.006 and 60C-2.007, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60DD-6	Eligibility and Use of State Communications System
RULE NOS.:	RULE TITLES:
60DD-6.001	General
60DD-6.002	Definitions
60DD-6.003	Cost Qualification Criteria for State Long Distance Communication System
60DD-6.004	SUNCOM Network Services Agreement
60DD-6.005	Review of Eligibility of Users
60DD-6.006	Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by an Eligible User
60DD-6.007	Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by the State Technology Office
60DD-6.008	Required Usage

NOTICE OF CORRECTION

Notice is hereby given that the rule histories for these proposed rules published in the Florida Administrative Weekly, Vol. 30, No. 25, June 18, 2004 are inaccurate in that each rule should not be characterized as new, but rather each rule represents a substantially amended version of a rule transferred from Rule Chapter 60C-6, F.A.C.

Proposed Rule 60DD-6.001, F.A.C., was formerly 60C-6.001, F.A.C. Proposed Rule 60DD-6.002, F.A.C., was formerly 60C-6.002, F.A.C. Proposed Rule 60DD-6.003, F.A.C., was formerly 60C-6.004, F.A.C. Proposed Rule 60DD-6.004, F.A.C., was formerly 60C-6.005, F.A.C. Proposed Rule 60DD-6.005, F.A.C., was formerly 60C-6.006, F.A.C. Proposed Rule 60DD-6.006, F.A.C., was formerly 60C-6.007, F.A.C. Proposed Rule 60DD-6.007, F.A.C., was formerly 60DD-6.008, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE NO.: 60DD-6.002
 RULE TITLE: Definitions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed rule published in the Vol. 30, No. 25, June 18, 2004 issue of the Florida Administrative Weekly:

60DD-6.002 Definitions.

(1) Eligible User – qualifying user of SUNCOM services ~~as defined in Florida law, including state agencies, political subdivisions of the state, county and municipalities agencies, public schools and districts, private schools, state universities, community colleges, libraries, water management districts, state commissions and councils,~~ and non-profit corporations.

(2) State Communications System – State communications system established as the SUNCOM network, pursuant to Section 282.103(1), Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.017
 RULE TITLE: Acceptable Variance of Examiners
 NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 20, of the May 14, 2004, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board, at its meeting on July 23, 2004, voted to accept the change. Subsection (1) shall change to read as follows:

(1) All clinical gradings by examiners are to be made independently. Each clinical procedure shall be graded by three (3) examiners. However, a score of 0 or 1 that is not corroborated by another score of either 0 or 1 will be discarded and will not be used in averaging. A critical difference score, which means there is one score that is either pass or fail while the other two scores are in the opposite pass/fail category, will be discarded and will not be used in averaging. The critical difference analysis shall precede the discarding of the uncorroborated 0 or 1. On the clinical examinations described in Rules 64B5-2.013 and 64B5-2.019, F.A.C., the three independent grades shall be averaged to determine an applicant's final grade on each procedure of the clinical examination. On the clinical portion of the dental hygiene examination described in Rule 64B5-2.0135, F.A.C., the three independent grades shall be utilized in a system of corroborated errors to determine an applicant's final grade on each procedure of the clinical portion. The corroborated errors grading system requires that at least two (2) of the independent examiners must agree on the presence of the error before the error may be used in calculating an applicant's grade.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-18.007
 RULE TITLE: Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes
 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. 30, No. 21, of the May 21, 2004, issue of the Florida Administrative Weekly. The

changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held on July 17, 2004, voted to make changes to the rule. The changes are as follows:

1. Subsection (2)(a) shall be reworded to read "(a) The psychologist shall adhere to the "APA Guidelines for Child Custody Evaluations in Divorce Proceedings," effective July, 1994, and the "Specialty Guidelines for Forensic Psychologists," effective March 9, 1991. These guidelines are incorporated by reference and copies may be obtained from the Board office. The APA Guidelines for Child Custody Evaluations in Divorce Proceedings are also available at: www.apa.org/practice/childcustody.html."

2. Subsection (3) shall be reworded to read "(3) It is a conflict of interest for a psychologist who has treated a minor or any of the adults involved in a custody or visitation action to perform a forensic evaluation for the purpose of recommending with which adult the minor should reside, which adult should have custody, or what visitation should be allowed. Consequently, a psychologist who treats a minor or any of the adults involved in a custody or visitation action may not also perform a forensic evaluation for custody, residence or visitation of the minor. So long as confidentiality is not violated, a psychologist may provide a court, or a mental health professional performing a forensic evaluation, with factual information about the minor derived from treatment, but shall not state an opinion about custody, residence or visitation disputes."

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

**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: Personnel Performance Excellence Program
 RULE NO.: 53ER04-41
 SUMMARY OF THE RULE: The emergency rule sets forth the provisions for the Personnel Performance Excellence Program and replaces Emergency Rule 53ER04-36, F.A.C.

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:

53ER04-41 Personnel Performance Excellence Program.

(1) The Personnel Performance Excellence Program shall be conducted in accordance with the provisions set forth in this emergency rule.

(2) Statement of Policy.

(a) Performance Excellence is the Florida Lottery's annual performance evaluation program. It functions as an annual review of the work performance of all Lottery employees in the areas of technical expertise, professional excellence and customer satisfaction. This program connects an employee's work performance to the implementation of the Lottery's strategic business plan, and subsequent achievement of the agency's business goals.

(b) An employee's performance measures will be based on the performance goals for that employee's work unit, as specified in the strategic business plan.

(c) The Florida Lottery's Performance Excellence Program serves the following purposes:

1. Provides all employees with the opportunity to clearly understand and focus upon annual performance expectations.

2. Identifies improvement needs to enhance future individual, and ultimately organizational, performance.

3. Motivates all employees to improve skills and job knowledge to ensure consistent professional and technical expertise.

4. Documents and tracks an employee's performance against the strategic goals of the employee's work unit and ultimately, the strategic goals of the agency.

5. Documents an employee's eligibility for salary adjustments or one-time lump sum payments.

6. Provides a basis for monitoring and improving the overall performance and productivity of the Florida Lottery's work force.

(3) Procedures.

(a) Performance Evaluation Cycle.

1. Phase I – Work Planning – During this initial phase, following consultation with executive management, a work plan shall be developed by the immediate supervisor. The work plan should identify the employee's key work activities and responsibilities, and be prioritized in accordance with the agency's strategic objectives. The work plan should correspond to the employee's position description in terms of functional accountability, knowledge, experience and skills. Both the supervisor and the employee must sign and date the work plan.

2. Phase II – Mid-Year Review – Approximately midway through the fiscal year, the supervisor and employee meet to review the employee's progress on his/her work activities and responsibilities to date including an indication of what ratings the employee has earned at this point in the fiscal year. If applicable, the meeting shall include any necessary changes to work activities and related responsibilities and/or performance measures.

3. Phase III – Annual Review – This last phase is the fiscal year-end performance review and feedback session between the supervisor and the employee. The following items are included in Phase III.

a. An employee gathers input from three peers which are:

i. Work Unit Peer – A peer that works within an employee's work unit.

ii. Partner Peer – A peer that closely partners with an employee in the performance of work activities. A Partner Peer can be an employee of the Lottery or of a third party who is affiliated in some way with the Lottery, i.e. another state agency, contractor or vendor.

iii. Customer Peer – A peer that is from the employee's customer group, i.e. Retailer Contracting serves the retailer as customer, or Information Resources serves various Lottery divisions as customer.

b. The supervisor provides the employee with a final rating for each work activity and related responsibility. Both the supervisor and the employee sign and date the final rating. A copy of the final rating is provided to the employee and the original is placed within the employee's personnel file in Human Resource Management.

4. Interim Review- Following consultation with executive management, a supervisor may create an Interim Review at any time deemed appropriate within the fiscal year. Such review shall not include peer reviews.

5. New-Hire Procedures.

For new hires, Phase I work plans will be completed within approximately one month of the employee's hire date. A Phase II interim review shall be conducted provided the employee was hired prior to October 1. A Phase III annual review shall be conducted provided the employee was hired prior to March 1. The initial work plan shall cover the period from the hire date through June 30. Thereafter, the employee shall be appraised on the fiscal year cycle as set forth above in subparagraphs (3)(a)1., 2. and 3.

(b) Performance Categories.

1. Ratings will be given based on activity outcome, and the process by which an activity is implemented.

2. It is assumed and expected that in order to be in the employ of the Florida Lottery, one must maintain and demonstrate, at a minimum, specific characteristics and behaviors that are non-negotiable such as integrity, honesty,

courtesy, professional demeanor, and product/process knowledge, in providing public service. While a performance rating cannot be improved by regularly meeting these minimum “non-negotiable” standards, failure to do so will result in a reduction in an employee’s overall performance rating.

3. Outlined below are the three levels of assessment and required performance characteristics and behaviors for each performance role.

a. Technical Expertise – How well an employee knows and performs the specific tasks associated with his/her work activities and responsibilities in terms of knowledge, skill, experience, and ability.

b. Professional Excellence – The manner in which an employee implements or carries out his/her work activities and responsibilities in terms of attitude, behavior, character.

c. Customer Appreciation – How well an employee provides service and value to his/her customer via the daily implementation of an employee’s work activities and responsibilities, in terms of customer needs, interaction, and responsiveness. Additional consideration will be given to the level of appreciation, value, and importance a customer has for the employee.

(c) Rating Scale.

1. Clearly Outstanding (C) = 3 Points – This score is given to an employee who consistently exceeds performance expectations in technical expertise, and has also assumed additional activities and work responsibilities and exceeded those. This employee also demonstrates on a daily basis a “beyond-the-call-of-duty” attitude, team spirit, and a high level of professional excellence. Consideration may be given for a salary increase and/or career advancement should an advanced position be available.

2. Meets Expectations (M) = 2 Points – An employee meets performance expectations (minimum acceptable standard) in all performance categories. This employee is performing as requested.

3. Does Not Meet Expectations (D) = 1 Point – An employee does not meet performance expectations. A retention decision will be considered and, if the employee is retained, a Performance Improvement Plan will be required.

(d) Performance Improvement Plan (PIP)

In some cases, a supervisor might find it necessary to develop and implement a Performance Improvement Plan (PIP) for an employee. The purpose of a PIP is to provide immediate attention to performance deficiencies, by allowing an employee to improve performance based on a rating that was at or below minimum standard. A PIP is created at the discretion of the supervisor following consultation with executive

management. A PIP may be up to 90 days in duration, however, at anytime that a PIP is in effect an employee may be separated or demoted at the discretion of the Lottery Secretary.

(4) This emergency rule supersedes Chapter 53-17, *Personnel Employee Performance Evaluations*, Florida Administrative Code and replaces Emergency Rule 53ER04-36, *Personnel Performance Excellence Program*, Florida Administrative Code.

Specific Authority 24.105(9)(j), 24.109(1) FS. Law Implemented 24.105(19)(d) FS. History–New 7-30-04, Replaces 53ER04-36 F.A.C.

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

EFFECTIVE DATE: July 30, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE:

RULE NO.:

Instant Game Number 551, CASH WIN-FALL 53ER04-42
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 551, “CASH WIN-FALL,” 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:

53ER04-42 Instant Game Numbers 551, CASH WIN-FALL.

(1) Name of Game. Instant Game Number 551, “CASH WIN-FALL.”

(2) Price. CASH WIN-FALL lottery tickets sell for \$5.00 per ticket.

(3) CASH WIN-FALL 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 CASH WIN-FALL lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any CASH WIN-FALL 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	2	3	4	5	6
ONE	TWO	THREE	FOUR	FIVE	SIX
7	8	9	10	11	12
SEVEN	EIGHT	NINE	TEN	ELEVN	TWELV
13	14	15	16	17	18
THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN
19	20	21	22	23	24
NINTN	TWENTY	THYONE	THYTWO	THYTHR	THYFOR
25	26	27	28	29	
THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	
 WIN \$50					

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 34 POOLS OF 120,000 TICKETS PER POOL
\$1 x 5	\$5	1 IN	30.00
(\$1 x 3) + \$2	\$5	30.00	136.000
\$1 + (\$2 x 2)	\$5	30.00	136.000
\$5	\$5	30.00	136.000
\$1 x 10	\$10	30.00	136.000
\$2 + (\$4 x 2)	\$10	60.00	68.000
(\$1 x 4) + (\$2 x 3)	\$10	60.00	68.000
\$1 + (\$2 x 2) + \$5	\$10	120.00	34.000
\$10	\$10	120.00	34.000
\$1 x 15	\$15	60.00	68.000
\$15	\$15	60.00	68.000
\$5 x 5	\$25	300.00	13.600
(\$5 x 3) + \$10	\$25	400.00	10.200
\$5 + (\$10 x 2)	\$25	300.00	13.600
(\$2 x 5) + \$5 + \$10	\$25	300.00	13.600
(\$1 x 5) + (\$2 x 10)	\$25	400.00	10.200
\$25	\$25	600.00	6.800
\$50 (COIN)	\$50	100.00	40.800
\$5 x 15	\$75	20,000.00	204
\$5 + (\$10 x 7)	\$75	20,000.00	204
(\$5 x 5) + \$50	\$75	20,000.00	204
(\$10 x 5) + \$25	\$75	20,000.00	204
\$75	\$75	20,000.00	204
\$10 + (\$15 x 6)	\$100	1,200.00	3,400
(\$5 x 10) + (\$10 x 5)	\$100	1,200.00	3,400
\$25 x 4	\$100	1,200.00	3,400
(\$25 x 2) + \$50	\$100	1,200.00	3,400
\$100	\$100	1,200.00	3,400
\$50 x 10	\$500	136,000.00	30
(\$25 x 10) + (\$50 x 5)	\$500	136,000.00	30
\$500	\$500	136,000.00	30
\$100 x 10	\$1,000	272,000.00	15
\$200 x 5	\$1,000	340,000.00	12
(\$50 x 10) + (\$100 x 5)	\$1,000	185,454.55	22
\$500 x 2	\$1,000	340,000.00	12
\$1,000	\$1,000	408,000.00	10
\$1,000 x 10	\$10,000	1,360,000.00	3
(\$500 x 10) + (\$1,000 x 5)	\$10,000	1,360,000.00	3
\$10,000	\$10,000	1,360,000.00	3
\$100,000	\$100,000	2,040,000.00	2

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

1	2	3	4	5	6
ONE	TWO	THREE	FOUR	FIVE	SIX
7	8	9	10	11	12
SEVEN	EIGHT	NINE	TEN	ELEVN	TWELV
13	14	15	16	17	18
THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN
19	20	21	22	23	24
NINTN	TWENTY	THYONE	THYTWO	THYTHR	THYFOR
25	26	27	28	29	
THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	

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

\$1.00	\$2.00	\$4.00	\$5.00	\$10.00	\$15.00
ONE	TWO	FOUR	FIVE	TEN	FIFTEEN
\$25.00	\$50.00	\$75.00	\$100	\$200	\$500
THY FIV	FIFTY	SVY FIV	ONE HUN	TWO HUN	FIV HUN
\$1,000	\$10,000	\$100,000			
ONE THO	TEN THO	ONE HUN THO			

(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any 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 15 sets of matching numbers. The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, \$100, \$200, \$500, \$1,000, \$10,000, and \$100,000.



(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 551 are as follows:

(10) The estimated overall odds of winning some prize in Instant Game Number 551 are 1 in 3.56. 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 551, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a CASH WIN-FALL lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for CASH WIN-FALL lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 7-30-04.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: July 30, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 552, RED HOT 7s
RULE NO.: 53ER04-43
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 552, "RED HOT 7s," 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:

53ER04-43 Instant Game Number 552, RED HOT 7s.

(1) Name of Game. Instant Game Number 552, "RED HOT 7s."

(2) Price. RED HOT 7s lottery tickets sell for \$2.00 per ticket.

(3) RED HOT 7s 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 RED HOT 7s lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any RED HOT 7s 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 imaged in black ink are as follows:

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

(5) The play symbols and play symbol captions imaged in red ink are as follows:

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

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

TICKET	\$1.00	\$2.00	\$5.00	\$10.00	\$20.00
TICKET	ONE	TWO	FIVE	TEN	TWENTY
\$25.00	\$50.00	\$100	\$500	\$1,000	\$10,000
THY FIVE	FIFTY	ONE HUN	FIVE HUN	ONE THO	TEN THO

(7) Determination of Prizewinners. A ticket having a black "7" in the play area shall entitle the claimant to the corresponding prize shown for that number. A ticket having a red "7" in the play area shall entitle the claimant to double the corresponding prize shown for that number. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$1,000, and \$10,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a RED HOT 7s 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. Players may win more than one time on a RED HOT 7s lottery ticket.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 552 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
TICKET	\$2 TICKET	1 IN	WINNERS IN
			42 POOLS OF
			180,000 TICKETS
			PER POOL
\$2	\$2	10.00	756.000
\$2 x 2	\$4	25.00	302.400
\$1 + (\$2 x 2)	\$5	30.00	252.000
\$5	\$5	37.50	201.600
\$5	\$5	37.50	201.600
\$1 + (\$2 x 2) + \$5	\$10	150.00	50.400
\$5 (RED "7")	\$10	50.00	151.200
\$10	\$10	150.00	50.400
\$5 x 5	\$25	150.00	50.400
\$5 x 10	\$50	1,200.00	6.300
\$25 (RED "7")	\$50	1,200.00	6.300
\$50	\$50	600.00	12.600
\$10 x 10	\$100	18,000.00	420
\$50 (RED "7")	\$100	4,500.00	1,680
\$100	\$100	18,000.00	420
\$20 x 10	\$200	252,000.00	30
\$500 (RED "7")	\$1,000	630,000.00	12
\$1,000	\$1,000	1,260,000.00	6
\$10,000	\$10,000	1,890,000.00	4

(9) The estimated overall odds of winning some prize in Instant Game Number 552 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.

(10) For reorders of Instant Game Number 552, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a RED HOT 7s lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(12) Payment of prizes for RED HOT 7s lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 7-30-04.

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

EFFECTIVE DATE: July 30, 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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Progress Energy Florida, Inc., filed July 27, 2004, in Docket No. 040792-EI, seeking a variance or waiver from subsection 25-6.0455(3), Florida Administrative Code. The pertinent portion of the rule provides that a request by an investor-owned electric utility to exclude an outage event from its Annual Distribution Service Reliability Report must be filed within 30 days of the outage event for which an exclusion is requested.

Comments on the petition should be filed with the Commission’s Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of the Commission Clerk and Administrative Services.

For additional information, please contact: Cochran Keating, Office of the General Counsel, at the above address or telephone (850)413-6193.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on July 30, 2004, South Florida Water Management District (District) received a petition for waiver from Andres’ M. Lorenzo, A & A Associates Int’l Inc., Application No. 04-0618-3 for utilization of Works or Lands of the District known as the C-6 Canal, Miami-Dade County, for the placement of 2 chain link gates within the District’s southerly right of way of C-6 easterly of N. W. 97th Avenue., Section 33, Township 52S, Range 40E. The petition seeks relief from subsections 40E-6.011(4) and (6) Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above ground structures within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff, (561)682-6320, e-mail: kruff@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Katie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Construction Industry Licensing Board hereby gives notice that Petition for Waiver from a portion of Rule 61G4-15.001, Florida Administrative Code, filed on behalf of Richard M. Wagner, is Denied on the grounds that Petitioner failed to show that application of the rule would create a substantial hardship or would violate principles of fairness. Notice of the Petition for Waiver or Variance was published in Vol. 29, No. 46, in the November 3, 2003, Florida Administrative Weekly. The person to be contacted regarding this Notice is Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039.

The Board of Cosmetology hereby gives notice that Petition for Variance or Waiver from subsection 61G5-20.004(2), Florida Administrative Code, filed by Cloud 9 Spa Salon, is Denied on the grounds that Petitioner failed to show specific facts that demonstrated a substantial hardship to justify a waiver or variance. Notice of the Petition for Waiver or Variance was published in Vol. 30, No. 19, in the May 7, 2004, Florida Administrative Weekly.

The person to be contacted regarding this Notice is: Julie Malone, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783, (850)487-1395.

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 Medicine hereby gives notice that it has received a petition filed on July 30, 2004, by Dan Iancu, M.D., seeking a 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 notice that it has received a petition, filed on July 28, 2004 on behalf of Kenneth F. Johnson, Jr., Ph.D., seeking a variance or waiver of paragraph 64B19-11.001(4)(c) and Rule 64B19-11.007, Florida Administrative Code, with respect to the time limits for the passing of both parts of the examination for purposes of avoiding the closing of the application file.

This matter will be addressed during the scheduled Board meeting on September 17, 2004 at 8:00, a.m., or shortly thereafter, via conference call. The conference call number is: (850)488-0979.

Comments on this petition should be filed with the Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Psychology, at the above address or telephone (850)245-4373, Ext. 3480.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Florida Historical Commission** announces public meetings to which all persons are invited.

DATE AND TIME: September 20, 2004, 1:00 p.m.

PLACE: Florida Heritage Hall, 500 South Bronough Street, Tallahassee, Florida 32399-0259

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Florida Historical Commission.

DATES AND TIME: September 21-23, 2004, 9:00 a.m.

PLACE: Florida Heritage Hall, 500 South Bronough Street, Tallahassee, Florida 32399-0259

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and ranking of Special Category grant applications.

A copy of the agenda may be obtained by writing: Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6360.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Chapter 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact: Bureau of Historic Preservation, (850)245-6333, Fax (850)245-6437.

DEPARTMENT OF LEGAL AFFAIRS

The LCSW Task Force Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: Wednesday, August 25, 2004, 2:30 p.m.

PLACE: Call (850)414-3300 for information on participation

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

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

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken.

If you have any questions, please call (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Agriculture in the Classroom**, Inc., Board of Directors announces its annual retreat.

Regular Board Meeting

DATE AND TIME: August 19, 2004, 1:00 p.m. – 4:00 p.m.

Long-Term Planning Session

DATE AND TIME: Friday August 20, 2004, 9:00 a.m. – 1:00 p.m.

PLACE: Casa Monica Hotel, 95 Cordova, St. Augustine, FL

The **Department of Agriculture and Consumer Services** announces a public meeting of the Florida Amusement Device and Attraction Advisory Committee to which all persons are invited.

DATE AND TIME: Wednesday, September 29, 2004, 10:00 a.m.

PLACE: Room 109, Hampton Inn Orlando, 5767 T. G. Lee Blvd., Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting of the Florida Amusement Device and Attraction Advisory Committee.

A copy of the agenda may be obtained by writing: Mike Rinehart, Operations and Management Consultant II, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, (850)488-9790.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Mike Rinehart, (850)488-9790. If you are hearing or speech impaired please contact the agency by calling the State of Florida TDD line at 1(800)955-8771.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Off-Highway Vehicle Recreation Advisory Committee which is open to all interested persons.

DATE AND TIME: Tuesday, September 14, 2004, 10:00 a.m. – 3:00 p.m. (EST)

PLACE: Florida Center for Wildfire and Forest Resource Management Training Center, 24059 Childs Road, Brooksville, FL 34601, (352)754-6780

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Off-Highway Vehicle Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: Chris Reed, 8392 Croom Rital Road, Brooksville, FL 34602, (352)544-5136.

DEPARTMENT OF EDUCATION

The **Florida Atlantic University**, Board of Trustees announces a meeting to which all persons are invited:

DATE AND TIME: Wednesday, August 25, 2004, 10:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit and Finance Committee; Academic and Student Affairs Joint Committee; Personnel and Compensation Committee.

A copy of the agenda and call-in phone number may be obtained by contacting: Ms. Joanne Elsner, Florida Atlantic University, 777 Glades Road, Boca Raton, FL 33431, (561)297-4030

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Ms. Paula Behul, (561)297-3004. If you are hearing or speech impaired, please contact the agency by calling TDD via TDD NO. (561)297-2130.

The Florida **Department of Education**, Office of Independent Education and Parental Choice announces a public hearing of the Charter School Appeal Commission to which all persons are invited.

DATE AND TIME: August 25, 2004, 10:30 a.m. – completion

PLACE: 325 West Gaines Street, 17th Floor Conference Room, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Charter School Appeal Commission hearing for the termination of Eastside Multicultural Community School, Inc.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this hearing are requested to contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502.

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited:

DATE AND TIME: Wednesday, August 25, 2004, 1:00 p.m. – 4:00 p.m.

PLACE: Room 1721/25, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: Office of Articulation, Florida Department of Education, Room 1401, Turlington Building, Tallahassee, Florida 32399-0400, Telephone (850)245-0427, Suncom 205-0427.

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 Dr. Laura Hébert, (850)245-0427.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** hereby gives notice that there will be a public meeting of the Evaluation and Appraisal Report Technical Advisory Committee.

DATE AND TIME: August 24, 2004, 9:00 a.m.

PLACE: One City Commons, Second Floor, Harvard Room, 400 South Orange Avenue, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of the evaluation and appraisal report process for local government comprehensive plans, as required by Section 163.3191(13), Fla. Stat. (2003).

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact Mike McDaniel, Growth Management Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1806, at least seven days before the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE MEETING IS: For additional information or to obtain a meeting agenda please visit the agency's website at <http://www.dca.state.fl.us/fdep/DCP/ear/indexear.htm> or contact: Mike McDaniel, Growth Management Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1806.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the repeal of subsection (8) of Rule 12-3.011, Florida Administrative Code. Notice of this proposed adoption was published in the Florida Administrative Weekly on July 2, 2004 (Vol. 30, No. 27, pp. 2655-2662).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. If you are hearing-impaired or speech-impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12-26, F.A.C. (Refunds). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on June 11, 2004 (Vol. 30, No. 24, pp. 2406-2409).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12A-1, F.A.C. (Sales and Use Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on July 9, 2004 (Vol. 30, No. 28, pp. 2831-2839).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12A-12, F.A.C. (Solid Waste Fees). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on July 9, 2004 (Vol. 30, No. 28, pp. 2839-2840).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12A-13, F.A.C. (Fee on the Sale or Lease of Motor Vehicles). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on June 11, 2004 (Vol. 30, No. 24, pp. 2409-2410).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green,

(850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12A-14, F.A.C. (Apalachicola Bay Oyster Surcharge). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on July 9, 2004 (Vol. 30, No. 28, pp. 2840-2842).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12A-16, F.A.C. (Rental Car Surcharge). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on July 9, 2004 (Vol. 30, No. 28, pp. 2842-2846).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12A-17, F.A.C. (Registration as Secondhand Dealer or Secondary Metals Recycler). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on July 9, 2004 (Vol. 30, No. 28, pp. 2846-2847).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12A-19, F.A.C. (Communications Services Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on June 11, 2004 (Vol. 30, No. 24, pp. 2410-2411).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12B-6, F.A.C. (Gross Receipts Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on June 11, 2004 (Vol. 30, No. 24, pp. 2411-2412).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green,

(850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12B-7, F.A.C. (Severance Taxes and Fees). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on July 9, 2004 (Vol. 30, No. 28, p. 2847-2848).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12B-7, F.A.C. (Severance Taxes and Fees). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on June 11, 2004 (Vol. 30, No. 24, pp. 2412-2413).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12B-8, F.A.C. (Insurance Premium Taxes, Fees, and Surcharges). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on June 11, 2004 (Vol. 30, No. 24, pp. 2413-2414).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12B-11, F.A.C. (Tax on Gross Receipts on Dry-Cleaning). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on July 9, 2004 (Vol. 30, No. 28, pp. 2848-2849).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12B-12, F.A.C. (Tax on Perchloroethylene). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on July 9, 2004 (Vol. 30, No. 28, pp. 2849-2850).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green,

(850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12C-1, F.A.C. (Corporate Income Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on June 11, 2004 (Vol. 30, No. 24, pp. 2413-2416).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: August 24, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of the proposed amendments to Rule Chapter 12C-2, F.A.C. (Intangible Personal Property Tax). A Notice of Proposed Rulemaking for the proposed rule changes was published in the Florida Administrative Weekly on June 11, 2004 (Vol. 30, No. 24, pp. 2416-2417).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: September 9, 2004, 8:30 a.m.

PLACE: Department of Transportation, District Four Office Auditorium, 3400 West Commercial Boulevard, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Sections 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

Anyone needing an agenda or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write to the address given below or call Rosa Seabrooks, (850)245-7914.

Special accommodation requests under the Americans with Disabilities Act should be made at least 48 hours prior to the public meeting.

A copy of the agenda may be obtained by writing: Rosa Seabrooks, Executive Secretary, Commercial Motor Vehicle Review Board, 1815 Thomasville Road, Tallahassee, FL 32303-5750.

The **Florida Transportation Commission** announces public meetings to which all persons are invited:

DATE AND TIME: September 13, 2004, 12:00 Noon – 5:00 p.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop of the Florida Transportation Commission.

DATE AND TIME: September 14, 2004, 8:00 a.m. – 5:00 p.m.

PLACE: Greater Orlando Aviation Authority, Orlando International Airport, Boardroom, One Airport Boulevard, Orlando, Florida 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Commission at least 48 hours before the meetings by contacting: Cathy Goodman, (850)414-4105.

The **Florida Wildflower Advisory Council** announces a meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 14, 2004, 9:00 a.m. – 3:00 p.m.

PLACE: Florida Federation of Garden Clubs, Inc. Headquarters, 1400 South Denning Drive, Winter Park, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to continue development of educational programs and develop a working relationship with the Foundation.

For information please contact: Mr. Jeff Caster, State Transportation Landscape Architect, Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, Florida 32399-0450, (850)410-5892, jeff.caster@dot.state.fl.us.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jeff Caster, (850)410-5892, prior to the meeting.

The **Florida Seaport Transportation and Economic Development Council** announces the cancellation of a meeting in which all interested persons were invited to participate.

DATE AND TIME: August 19, 2004, 10:00 a.m.

PLACE: Florida Department of Transportation, Suwannee Room, 2nd Floor, 605 Suwannee Street, Tallahassee, Florida 32399-0450; Call In Number (850)921-2470, Suncom (850)291-2470

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

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

The **Florida State Board of Administration** announces a public hearing to which all persons are invited.

DATE AND TIME: Tuesday, August 24, 2004, 9:00 a.m. – conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on August 24, 2004, will consider proposed new rules, proposed amended rules, and proposed repealed rules for the defined contribution program and will be asked for permission to file the rules for adoption. Rules 19-10.001 through 19-10.003, F.A.C., are proposed for repeal. Rules 19-11.002, and 19-11.004 through 19-11.007, F.A.C., are proposed new rules. Rule 19-12.007, F.A.C., is proposed to be amended. Rules 19-13.001 through

19-13.004 and 19-14.001, F.A.C., are proposed new rules. Notices of Proposed Rule Development for all these rules were published in the Florida Administrative Weekly on May 7, 2004. A rule development workshop was offered on May 24, 2004, but no one requested the workshop and the workshop was not held. A rule hearing was offered on August 2, 2004, but no one requested the hearing and the hearing was not held. The Joint Administrative Procedures Committee has made several suggestions which have been incorporated in a Notice of Change which will be filed if the Trustees approve adopting these rules at their meeting on August 24, 2004. If approved, the State Board expects to file for adoption those rules which have no changes shortly after the meeting on August 24, 2004. Those rules which are the subject of the Notice of Change will be filed for adoption after the Notice of Change has run, if there are no other changes.

A copy of the State Board of Administration's agenda for the August 24, 2004, Cabinet meeting may be obtained by contacting: Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces the rescheduling of an Internal Affairs Meeting that was originally scheduled for August 16, 2004, 9:30 a.m.

DATE AND TIME: August 16, 2004, 1:30 p.m.

PLACE: The Betty Easley Conference Center, Conference Room 140, 4075 Esplanade Way, Tallahassee, Florida

The Florida **Public Service Commission** announces a Customer Meeting to be held in the following docket, to which all interested persons and parties are invited to attend.

DOCKET NO. 030443-WS – Application for Rate Increase in Pasco County by Labrador Utilities, Inc.

DATE AND TIME: Tuesday, August 24, 2004, 6:00 p.m.

PLACE: Forest Lake Estates Community Clubhouse, 6429 Forest Lake Drive, Zephyrhills, Florida 33540

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit customers to comment regarding the request for rate increase by Labrador Utilities, Inc. At the meeting, customers may be heard on any and all issues in the case relating to this request. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. Any person who is speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces the rescheduling of a prehearing from August 16, 2004 in Docket No. 031047-TP – Petition of KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC for arbitration of interconnection agreement with Sprint-Florida, Incorporated.

DATE AND TIME: August 30, 2004, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 030623-EI – Complaints by Southeastern Utility Services, Inc., on behalf of various customers, against Florida Power & Light Company concerning thermal demand meter error.

DATE AND TIME: August 30, 2004, 1:30 p.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 031125-TP – Complaint against BellSouth Telecommunications, Inc. for alleged overbilling and discontinuance of service, and petition for emergency order restoring service, by IDS Telecom LLC.

DATE AND TIME: August 30, 2004, 2:30 p.m.

PLACE: Commission Hearing Room 152, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Governor's Developmental Disabilities**, Blue Ribbon Task Force announces a public meeting:

DATES AND TIMES: Monday, August 23, 2004, 9:00 a.m. – 5:00 p.m.; Tuesday, August 24, 2004, 8:30 a.m. – 5:00 p.m.; Wednesday, August 25, 2004, 8:30 a.m. – 2:00 p.m.

PLACE: August 23, 2004 – Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida; August 25, 2004 – Department of Children and Family Services, Building 4, 1313 Winewood Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue work on the development of a recommended plan of action for expanding and improving inclusive community action for individuals with developmental disabilities; coordinating the provision of transition services statewide for students with developmental disabilities as they leave school and seek employment, postsecondary education, vocational training, programs and/or adult community services; and expanding and improving competitive, integrated employment opportunities for individuals with developmental disabilities. A report is due to the Governor by December 15, 2004.

Any person requiring special accommodations is asked to advise the agency by contacting Sylvia Peacock, (850)414-7605, by August 16, 2004. If you are hearing or speech impaired, please contact the agency by calling (850)922-4449 (TDD).

Volunteer Florida, the **Governor's Commission on Volunteerism and Community Service**, Grants Oversight Council is pleased to announce a conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 25, 2004, 2:00 p.m. (Please call (850)921-5172 for call-in number and pass-code)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and approval of the Volunteer Center Development and Enhancement Grant proposals.

Please contact Gwen Erwin, (850)921-5172, for a meeting agenda. If you require a reasonable accommodation to participate, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

The **Governor's Office of Tourism, Trade, and Economic Development** announces a public meeting to which all persons are invited.

MEETING: The Governor's Council of Economic Advisors (CEA)

DATE AND TIME: Friday, August 27, 2004, 10:00 a.m. – 2:00 p.m. (Lunch will be provided to CEA members and invited speakers, only)

PLACE: Enterprise Florida offices – Executive Conference Room, 390 N. Orange Avenue, Suite 1300, Orlando, FL, (407)316-4600

GENERAL SUBJECT MATTER TO BE DISCUSSED: The Office of Tourism, Trade and Economic Development will convene the Governor's Council of Economic Advisors to discuss with government and business leaders the impact of local, national, and global economic forces currently influencing the state.

For further information contact: Katherine Morrison, Office of Tourism, Trade, and Economic Development, The Capitol, Suite 2001, Tallahassee, FL 32399-0001, (850)487-2568.

Any person requiring a special accommodation at this meeting because of a disability should contact Katherine Morrison, (850)487-2568, no later than 48 hours prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: August 26, 2004, 6:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee.

MEETING: Clearinghouse Committee

DATE AND TIME: August 26, 2004, 6:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee.

MEETING: Finance Committee

DATE AND TIME: August 26, 2004, 6:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance Committee.

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: August 26, 2004, 7:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Quality Inn and Conference Center, I-75 and U.S. 90, Lake City, Florida

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meetings, may need to make a verbatim record of the proceedings.

A copy of any of these agendas may be obtained by email: ncfrpc@ncfrpc.org or writing: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653.

Persons with disabilities who need assistance may contact us at (352)955-2200, at least two business days in advance to make appropriate arrangements.

The Region IX, **Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited:

DATE AND TIME: August 26, 2004, 9:30 a.m.

PLACE: Lee County Economic Development Office, 2180 West First Street, 5th Floor, Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right to Know Act.

A copy of the Agenda may be obtained by contacting: Executive Director David Y. Burr, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 13, 2004, 10:30 a.m.

PLACE: Fairchild Tropical Gardens, 10901 Old Cutler Road, Coral Gables, FL 33156

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendments for Marathon, Plantation and Tamarac; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

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

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

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

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited:

DATE AND TIME: August 26, 2004, 11:00 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administration, Budget and Finance Committee – to discuss budget issues

DATE AND TIME: August 26, 2004, 11:30 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee meeting – to discuss land acquisition matters.

DATE AND TIME: August 26, 2004, 1:00 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

DATE AND TIME: August 26, 2004, 1:15 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Regulatory Matters – to consider regulatory issues.

PLACE: District headquarters, 10 miles west of Tallahassee on U.S. Highway 90, Tallahassee, FL

A copy of the agendas may be obtained by contacting: Carolyn Wise, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at www.state.fl.us/nwfwmd).

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

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **St. Johns River Water Management District** announces a special Southern Region Recreation Advisory Council Meeting to which all persons are invited. The meeting is scheduled for:

MEETING: Special Southern Region Recreation Advisory Council

DATE AND TIME: Tuesday, August 24, 2004, 6:00 p.m. – 8:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss City of Palm Bay Annexation.

PLACE: City of Palm Bay Council Chambers, 120 Malabar Rd., Palm Bay, FL 32909

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Southern Region.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Linda Lorenzen, (386)329-4262 or (386)329-4450 (TDD), at least five work days before the date of the meeting.

The **SJRWMD**, Alternative Water Supply Construction Cost Sharing Advisory Committee (Committee) announces a meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, September 8, 2004, 9:00 a.m. – 12:00 Noon (depending on number of presentations)

PLACE: The Deland City Commission Chamber, DeLand City Hall Annex, 121 W. Rich Ave. (directly across from the Volusia County Government Center, parking is in the rear)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hear optional presentations from cost sharing applicants. Applicants who choose to do presentations will have the opportunity to schedule 15-minute blocks of time. Applicants need to be present only at their appointed times.

The **SJRWMD**, Alternative Water Supply Construction Cost Sharing Advisory Committee (Committee) announces a meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, September 29, 2004, 9:30 a.m. – 12:00 Noon

PLACE: SJRWMD, Altamonte Springs Service Center, 975 Keller Rd., Altamonte Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To determine the final application ranking and formulate a recommendation to the SJRWMD Governing Board for which

projects to fund and how much money to allocate to each of them. Applicants may not provide any new information to the Committee at this meeting unless requested by the Committee.

The **South Florida Water Management District** will conduct a public meeting to which all interested parties are invited: This Public Meeting supersedes any previous published Notice.

DATE AND TIME: Monday, August 23, 2004, 1:30 p.m. – 4:00 p.m.

PLACE: The Broward County Office of Environmental Services Training Room, 2555 West Copans Road, Pompano Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lower East Coast Water Supply Plan Content Subcommittee – Water Resources Advisory Commission (WRAC) Issues Workshop.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/gover/wrac/agendas.html>) or (2) by writing: South Florida Water Management District, WRAC Business Analyst, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: James Jackson, Project Manager, Water Supply Department, 3301 Gun Club Road, Mail Stop Code 4350, West Palm Beach, FL 33406, (561)682-6334.

The **South Florida Water Management District** will conduct a public meeting to which all interested parties are invited: This Public Meeting supersedes any previous published Notice.

DATE AND TIME: Wednesday, August 25, 2004, 8:30 p.m. – 12:00 Noon

PLACE: Seminar Room, Rosenthal School of Marine and Atmospheric Science (RSMAS), 4600 Rickenbacker Causeway (Next to Miami Seaquarium), Key Biscayne, Florida 33149

GENERAL SUBJECT MATTER TO BE CONSIDERED: Biscayne Bay Minimum Flows and Levels Meeting – Water Resources Advisory Commission (WRAC) Issues Workshop.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/gover/wrac/agendas.html>) or (2) by writing: South Florida Water Management District, WRAC Business Analyst, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Joseph "Joey" Jean-Baptiste, Miami Dade Regional Service Center, 2121 S. 3rd Avenue, 6th Floor, Miami, Florida 32129, (305)377-7274, Ext. 7291.

Those who want more information, please contact: James Jackson, Project Manager, Water Supply Department, 3301 Gun Club Road, Mail Stop Code 4350, West Palm Beach, FL 33406, (561)682-6334.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Thursday, August 26, 2004, 10:00 a.m. – 5:00 p.m.

PLACE: The South Florida Water Management Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Everglades Technical Oversight Committee (TOC) Meeting.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/org/ema/toc/draftagenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 4610, 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 meetings and hearings are sometimes recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Dr. Garth Redfield, Environmental Monitoring and Assessment Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6611.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Monday, August 30, 2004, 10:00 a.m.

PLACE: The South Florida Water Management District, Florida – Miami Dade Service Center, 2121 S. W. 3rd Avenue, Miami, FL 33129

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of a Lake Belt Mitigation Sub Committee, created pursuant to Section 373.41492, Florida Statutes, to discuss assessing lift mitigation ratios for model lands; using Model Lands as an alternative site. Meet Me # (850)488-5778, or Suncom 278-5778.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/org/pld/proj/lakebelt/mitig.com.html>) or (2) by writing: South Florida Water Management District, Mail Stop 7210, 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 meetings and hearings are sometimes recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Beth McArde, Land Resources Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 7210, West Palm Beach, FL 33406, (561)682-6172.

The **South Florida Water Management District** will conduct a public meeting to which all interested parties are invited:

DATE AND TIME: Monday, August 30, 2004, 9:00 a.m. – completed

PLACE: The Broward County Office of Environmental Services Training Room, 2555 West Copans Road, Pompano Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lower East Coast Regional Water Supply Plan Update - Water Resources Advisory Commission (WRAC) Issues Workshop.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/gover/wrac/agendas.html>) or (2) by writing: South Florida Water Management District, WRAC Business Analyst, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

The Big Cypress Basin Board, **South Florida Water Management District** announces a public meeting which may be conducted by means of, or in conjunction with, communications media technology, specifically by telephonic conference, to which all interested persons are invited.

DATE AND TIME: August 27, 2004, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, 3301 East Tamiami Trail, Naples, Florida (The above address shall be the designated access point for public attendance of the meeting)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Basin Business and Adopt FY 2005 Final Budget.

A copy of the agenda may be obtained by writing: Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, or by calling Ann Christian, (239)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings 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 Ann Christian, (239)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact Ann Christian, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (239)597-1505.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Rate Review Committee Meeting to which all persons are invited.

DATE AND TIME: Friday, August 27, 2004, 9:00 a.m. – completion

PLACE: Miami-Dade County Main Public Library, 101 W. Flagler Street, Miami, FL 33130, (305)375-5501

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Medicaid allocations and other business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Business Meeting to which all persons are invited.

DATE AND TIME: Friday, August 27, 2004, 1:00 p.m. – completion

PLACE: Miami-Dade County Main Public Library, 101 W. Flagler Street, Miami, FL 33130, (305)375-5501

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Medicaid allocations, receive updates on Medicaid, clarify data submitted by providers, and other business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following meetings to which all interested persons are invited.

DATE AND TIME: Friday, August 27, 2004, 9:00 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tampa Bay Seawater Desalination Board Workshop and CCOMM Contractor Interviews.

DATE AND TIME: Monday, August 30, 2004, 8:30 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney-Client Briefing pursuant to Section 286.011(8), Florida Statutes, concerning settlement negotiations or strategy relating to litigation expenditures involving Hydranautics, their Surety, and other Insureds under the Professional Liability (OCIP) Policy for the Tampa Bay Seawater Desalination Project (which will be attended by the Board, General Manager, General Counsel, Special Counsel and Court Reporter); and the Regular Monthly Board Meeting will follow immediately upon conclusion of the Attorney-Client Briefing.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a public meeting of the Guardianship Task Force to be conducted by conference call to which all persons are invited.

DATE AND TIME: August 16, 2004, 3:00 p.m. – 5:00 p.m.

PLACE: Callers within Tallahassee 922-2903, Callers outside Tallahassee (toll free) 1(800)416-4254, Suncom Callers 292-2903

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Guardianship Task Force will be addressing issues regarding leave of absence/vacation by guardians. The public meeting will also include time to receive comments from the public on education as it relates to minors and voluntary guardianships.

Written public testimony may be mailed to: Guardianship Task Force, Statewide Public Guardianship Office, 4040 Esplanade Way, Suite 315M, Tallahassee, Florida 32399-7000, Faxed (850)414-2384, e-mailed: Robert Bayerl, bayerlrm@elderaffairs.org.

Any persons requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting the (850)414-2381. If you are hearing or speech impaired, please contact the Department by calling (850)414-2001.

The Florida **Department of Elder Affairs** announces a public meeting of the Guardianship Task Force to be conducted by conference call to which all persons are invited.

DATE AND TIME: August 20, 2004, 10:05 a.m. – 12:00 Noon

PLACE: Callers within Tallahassee 921-5230, Callers outside Tallahassee (toll free) 1(888)816-1123, Suncom 291-5230

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Guardianship Task Force will be addressing issues regarding termination of guardianships. The public meeting will also include time to receive comments from the public on education as it relates to minors and voluntary guardianships.

Written public testimony may be mailed to: Guardianship Task Force, Statewide Public Guardianship Office, 4040 Esplanade Way, Suite 315M, Tallahassee, Florida 32399-7000, Faxed (850)414-2384, e-mailed: Robert Bayerl, bayerlrm@elderaffairs.org.

Any persons requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting the (850)414-2381. If you are hearing or speech impaired, please contact the Department by calling (850)414-2001.

The Florida **Department of Elder Affairs** announces a public meeting of the Guardianship Task Force to which all persons are invited.

DATE AND TIME: August 27, 2004, 9:30 a.m. – 5:00 p.m.

PLACE: County Commission Chambers on the 3rd Floor of the Old Court House, 223 Palafox Place, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Guardianship Task Force will be addressing issues of guardianship and incapacity as directed by Senate Bill 2568 (2003). The public meeting will also include time to receive comments from the public on guardianship and incapacity. Public testimony is scheduled to begin at 10:00 a.m.

Written public testimony may be mailed to: Guardianship Task Force, Statewide Public Guardianship Office, 4040 Esplanade Way, Suite 315M, Tallahassee, Florida 32399-7000, Faxed (850)414-2384, e-mailed: Robert Bayerl, bayerlrm@elderaffairs.org.

Any persons requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting (850)414-2381. If you are hearing or speech impaired, please contact the Department by calling (850)414-2001.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a teleconference meeting of the Infrastructure Development and Privacy/Data Security Work Groups of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Friday, August 20, 2004, 9:00 a.m.

PLACE: Anyone interested in participating may telephone (850)921-6623, Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the development and implementation of a Florida health information infrastructure including a strategy for promoting the use of electronic health records.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at www.fdhc.state.fl.us/dhit/index.shtml seven (7) days prior to the meeting.

The **Agency for Health Care Administration** announces a teleconference meeting of the Medical Work Group of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Tuesday August 24, 2004, 11:00 a.m.

PLACE: Anyone interested in participating may telephone (850)921-6623, Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the development and implementation of a Florida health information infrastructure including a strategy for promoting the use of electronic health records.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at www.fdhc.state.fl.us/dhit/index.shtml seven (7) days prior to the meeting.

The **Agency for Health Care Administration** announces a teleconference meeting of the Business and Legislative Planning Work Group of the Governor's Health Information Infrastructure Advisory Board to which all interested parties are invited.

DATE AND TIME: Thursday, August 26, 2004, 2:00 p.m.

PLACE: Anyone interested in participating may telephone (850)921-6623 or Suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: To study and make recommendations on the development and implementation of a Florida health information infrastructure including a strategy for promoting the use of electronic health records.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Carolyn H. Turner, (850)922-5861, at least five calendar days prior to the meeting.

A copy of the agenda may be obtained by writing: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at www.fdhc.state.fl.us/dhit/index.shtml seven (7) days prior to the meeting.

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited to call in.

DATE AND TIME: Thursday, August 19, 2004, 6:00 p.m. – 8:00 p.m.

PLACE: To access the "Meet-Me" number call (850)488-5778, SunCom 278-5778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Organization and By-Laws Committee of the Florida Patient Safety Corporation, as authorized by Chapter 2004-297, Laws of Florida.

For additional information contact: Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308, or call Linda Colvin, (850)922-0791, e-mail: COLVINL@fdhc.state.fl.us.

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 25, 2004, 9:30 a.m.

PLACE: To access the Meet Me number call (850)921-2530, Suncom 291-2530

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long Term Care will discuss eleven applications for the Gold Seal award. Other matters before the Panel will also be discussed.

For additional information contact: Agency for Health Care Administration, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308, call Richard Kelly, (850)488-5861, e-mail: kellyr@fdhc.state.fl.us.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 26, 2004, 10:00 a.m. – 3:00 p.m.

PLACE: AARP Florida State Office, 400 Carillon Parkway, Suite 100, St. Petersburg, Florida 33716

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Patient Safety Corporation Board of Directors Meeting
A copy of the agenda may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308. Agendas can also be requested via e-mail: COLVINL@fdhc.state.fl.us. To be included in e-mail notices of the Florida Patient Safety Corporation Board "Interested Parties", please mail/e-mail or fax your e-mail address to the address above or fax to (850)413-7955.

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)922-0791.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Technology Office**, Wireless 911 Board announces the following meeting schedule information:

311 Workshop Meeting

DATES AND TIME: October 6-7, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Dade County Fire Department Building, 9300 N. W. 41st Street, Miami, Florida (2 or more Board Members to attend this workshop to keep abreast of new and emerging 311 technologies).

If accommodation due to disability is needed in order to participate, please notify the State Technology Office/Wireless 911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited. The meeting is being conducted by communications media technology (CMT), i.e., by utilizing a telephone conference hookup.

DATE AND TIME: Tuesday, August 31, 2004, 9:00 a.m.

PLACE: Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, Ext. 1032 (The meet-me number – (850)921-2470, Suncom 291-2470)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, Ext. 1032.

VERBATIM RECORD OF MEETING: If any person decided to appeal any decision made during the meeting, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA Notice: Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact the Clerk of the Commission, (850)488-7082, Ext. 1032, at least five working days prior to the meeting.

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: October 8, 2004, 1:30 p.m. (EST)

PLACE: Florida Mall Hotel, 1500 Sandlake Road, Orlando, FL

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, (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: September 29, 2004, 9:00 a.m. (EST)

PLACE: Department of Business and Professional Regulation, Northwood Center, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)922-6096

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, (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 Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIME: August 24, 2004, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Construction Industry Licensing Board** hereby gives notice that pursuant to Section 286.011(8), Florida Statutes, there will be a meeting in closed session to discuss settlement negotiations in the matter of *Sclease v. Department of Business and Professional Regulation Construction Industry Licensing Board*, Case No. 1DF4-1636 (1ST DCA).

DATE AND TIME: Friday, September 10, 2004, 8:00 a.m. or as soon thereafter as is allowed

PLACE: Embassy Suites Orlando Downtown, 191 East Pine Street, Orlando, FL 32801

The following persons shall be in attendance: members of the Construction Industry Licensing Board, the Board's Executive Director and Legal Counsel. In accordance with the provisions of Section 286.011(8), Florida Statutes, 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.

Additional information may be obtained by writing: Construction Industry Licensing Board, 1940 N. Monroe Avenue, Tallahassee, Florida 32399-1039.

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

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

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL (Telephone Number To Call: (850)921-6433, Suncom 291-6433)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement.

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Board of Pilot Commissioners, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Building Code Administrators and Inspectors Board** announces the following meetings to which all persons are invited to attend.

DATE AND TIME: October 18, 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: October 19, 2004, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting

PLACE: Radisson Report at the Port, 8701 Astronaut Boulevard, Cape Canaveral, FL 32920

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, (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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited:

DATE AND TIME: Tuesday, September 14, 2004, 9:00 a.m.

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reporting forms and requests for course approval.

If you wish to participate in this meeting or receive a copy of the agenda, please contact: Karan Lee, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

The Florida **Real Estate Appraisal Board** (FREAB) announces a Florida Association of Realtors continuing education course to which all registered, licensed and certified appraisers are invited.

DATE AND TIME: Saturday, August 21, 2004, 9:00 a.m. – 12:00 Noon

PLACE: Renaissance Orlando Resort at SeaWorld, 6677 Sea Harbor Drive, Orlando, FL 32821

GENERAL SUBJECT MATTER TO BE CONSIDERED: The course will consist of the Florida Real Estate Appraisal License Law and rule update needed to comply with the continuing education requirement as set forth in Rule 61J1-4.003, F.A.C. The course will specifically address changes made to Chapter 475, Part II, F.S., and Rule 61J1, F.A.C., over the past two years.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Florida **Center for Solid and Hazardous Waste Management** announces a meeting of the Advisory Board to which all interested persons are invited to participate.

DATE AND TIME: September 10, 2004, 9:00 a.m.

PLACE: Tampa, Florida

For more information, contact (352)392-6264, or visit the Center's web page: www.floridacenter.org.

DEPARTMENT OF HEALTH

A meeting of the **Florida Diabetes Advisory Council (DAC)** will be held as follows:

DATE AND TIME: Friday, August 20, 2004, 9:30 a.m. – 1:30 p.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, FL

If you would like to attend, have questions, or need more information, please contact Trina Thompson, (850)245-4330, by August 18, 2004. All requests for special accommodations must be received by 5:00 p.m. on August 18, 2004.

The **Department of Health, Board of Dentistry** announces a meeting of the Anesthesia Committee to be held via telephone conference call. All interested parties are invited to participate in the telephone conference call, which is open to the public.

DATE AND TIME: August 26, 2004, 6:00 p.m.

PLACE: Telephone Number (850)410-0960

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Concerning Anesthesia Committee.

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, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster.

The **Department of Health, Board of Dentistry** will hold committee and general business meetings to which all persons are invited:

DATES AND TIME: September 17, 2004, 8:00 a.m.; and September 18, 2004, if necessary, 8:00 a.m.

PLACE: Hilton University of FL Conference Center, 1714 S. W. 34th Street, Gainesville, FL 32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

If a 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 records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls, (850)245-4474, at least five calendar days prior to

the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, September 1, 2004, 12:00 Noon

PLACE: Contact Florida Board of Medicine, (850)245-4131 for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine**, Expert Witness Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, September 8, 2004, 12:00 Noon

PLACE: Meet me Number: Contact Florida Board of Medicine, (850)245-4131, for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The Florida **Board of Medicine** and **Board of Psychology**, announce a joint meeting to which all persons are invited.

DATE AND TIME: September 24, 2004, 10:30 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of discussing items of mutual interest to the Boards.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Department of Health, Board of Physical Therapy Practice** announces a meeting to which all persons are invited:

DATES AND TIMES: August 26, 2004, 6:30 p.m. or soon thereafter; August 27, 2004, 8:00 a.m. or soon thereafter

PLACE: The Tampa Marriott Westshore, 1001 North Westshore Blvd., Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting/Rules Workshop.

A copy of the agenda may be obtained by writing: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Department of Health** announces the first meeting of the Florida Coordinating Council for the Deaf and Hard of Hearing to which all persons are invited.

DATE AND TIME: September 9, 2004, 8:30 a.m. – 4:30 p.m.

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Coordinating Council for the Deaf and Hard of Hearing.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: CART and ASL interpreter services will be provided at this meeting. Any person requiring additional accommodations is asked to advise the Department at least 7 days before the meeting by contacting: Karen Anderson, (850)245-4444, Ext. 2269. If you are Deaf, hearing-impaired, or speech-impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

UPCOMING MEETINGS: The following meetings of the Florida Coordinating Council for the Deaf and Hard of Hearing will be held at Homewood Suites, 2987 Apalachee Parkway, Tallahassee, FL 32301: November 16, 2004; February 11, 2005; May 13, 2005.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 14 announces the following meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 24, 2004, 3:00 p.m.

PLACE: Polk County Board of County Commissioners, 4th Floor, Board Members Conference Room, 330 W. Church Street, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly meeting of the Heart of Florida Community Alliance.

For copies of the agenda, additional information or persons needing special accommodations to participate in the meeting, please contact Ethel M. Smith, (863)619-4155, 1(800)342-0825 or TDD (863)48-3337.

The Office on Homelessness, within the **Department of Children and Family Services**, hereby notices the cancellation of two meetings of the Discharge Planning Committee of the Council on Homelessness. The meetings originally noticed for the following dates and times are cancelled.

DATE AND TIME: August 24, 2004, 10:00 a.m. – 11:00 a.m.

PLACE: (850)921-2583

DATE AND TIME: September 28, 2004, 10:00 a.m. – 11:00 a.m.

PLACE: (850)921-2583

The Council on Homelessness has combined this committee with its Barriers and Supportive Services committee effective August 1, 2004.

Please contact the Office on Homelessness, (850)922-4691, if you have any questions.

The **Department of Children and Family Services** announces its submittal of a proposal to the US Department of Health and Human Services, Administration for Children and Families for a child welfare demonstration project. The proposal is to obtain waiver of certain Title IV-E requirements while demonstrating a new model of services for families and children at risk of removal due to substance abusing caregivers. The proposal responds to Announcement ACYF-CB-IM-03-06. A summary of the proposal and a link to the announcement may be found at <http://www.acf.hhs.gov/programs/cb/initiatives/cwwaiver/proposals/index.htm>. Copies of Florida's proposal and associated documents may be obtained by inquiring as below. All interested persons may attend a meeting as below offer comment on this proposal. Written comments may also be submitted until September 13, 2004.

DATE AND TIME: August 19, 2004, 8:00 a.m. – 10:00 a.m.

PLACE: Winewood Complex, Room 131, Building 4, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to gather comments on the proposal, including key elements such as target population, service array, site selection, and evaluation design.

Any person requiring special accommodations for disability or physical impairment is asked to notify the agency at least five working days in advance, as below.

For copies of Florida's proposal, submittal of written comments, or additional information please contact: Becky Lyons, DCF, Child Welfare/Community-Based Care, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)488-4110, Becky_Lyons@dcf.state.fl.us

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a meeting of the Board of Directors to which all interested parties are invited:

DATE AND TIME: September 10, 2004, 9:00 a.m. – adjourned

Fiscal Committee

Guarantee Committee

Universal Cycle Committee

Multifamily Revenue Bond Committee

Board Meeting

PLACE: Tallahassee City Hall Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301, (850)851-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.

1. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.
2. Consider, review, and take action on matters brought to the Universal Cycle Committee and to consider recommendations made by the Universal Cycle Committee to the Board.
3. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues, which have satisfied the requirements for funding.
4. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
5. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
6. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
7. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.

8. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
9. Consideration of policy issues concerning ongoing and upcoming Single-family Bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
10. Consideration of all necessary actions with regard to the Multifamily Bond Program.
11. Consideration of approval of underwriters for inclusion on approved master list and teams.
12. Consideration of all necessary actions with regard to the HOME Rental Program.
13. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
14. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
15. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
16. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
17. Consideration of all necessary actions with regard to the Home Ownership Programs.
18. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
19. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
20. Consideration of workouts or modifications for existing projects funded by the Corporation.
21. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
22. Consideration of funding additional reserves for the Guarantee Fund.
23. Consideration of audit issues.
24. Evaluation of Professional and Consultant performance.
25. Such other matters as may be included on the Agenda for the September 10, 2004, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sheila Freaney at the Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and

for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting of the Florida Wildlife Magazine Advisory Council, to which all interested persons are invited:

DATE AND TIME: August 31, 2004, 9:00 a.m.

PLACE: Orange County Administration Building, 3rd Floor, Conference Room B, 201 Rosalind Avenue, Orlando, FL 32806

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the outsourcing of some functions of the publishing of Florida Wildlife Magazine; to discuss editorial content of future issues and other business matters related to the publishing of the magazine.

A copy of the proposed agenda may be obtained from the Florida Fish and Wildlife Conservation Commission, Community Relations Office, Connie Lord, Marathon Building, Suite 101, 2574 Seagate Drive, Tallahassee, FL 32301, (850)488-4676.

If any person decides to challenge any decision with respect to any matter considered at the above meeting, a record of the proceeding will be needed. For this purpose, you may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling the ADA Coordinator, (850). If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

DEPARTMENT OF FINANCIAL SERVICES

The Board of Directors of the **Florida Health Insurance Plan** announces the following meeting to be held by telephone conference and to which all interested persons are invited to attend.

DATES AND TIMES: Thursday, August 26, 2004, 1:30 p.m.

PLACE: Call in Number: 1(800)416-4254, Local (850)922-2903, Suncom 292-2903

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this initial meeting of the Board of Directors, the Board will discuss authorizing the issuance of a Statement of Work for an actuarial study and other matters ready for decision.

Please contact sumralla@dfs.state.fl.us, by email for a meeting agenda.

If you require a reasonable accommodation to participate, please contact summeralla@dfs.state.fl.us, at least 72 hours in advance with your request.

DEPARTMENT OF MILITARY AFFAIRS

The **Department of Military Affairs**, St. Francis Barracks announces a meeting to which all interested persons are invited.

MEETING NOTICE: Armory Board, State of Florida

DATE AND TIME: Saturday, August 14, 2004, 3:00 p.m. – 5:00 p.m.

PLACE: Post Headquarters Conference Room, Camp Blanding Joint Training Center, Starke, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Armory Board Meeting. The Armory Board will consider action on contracts, leases, agreements and other business relative to real property and facility management issues under its control.

If a person decides to appeal any decision made by the Armory Board with respect to any matter considered at this meeting, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CLERKS OF COURT OPERATIONS CORPORATION

The Florida **Clerks of Court Operations Corporation** announces a public meeting to which all persons are invited to attend. The purpose of the meeting is to discuss budgets submitted from each clerk to the CCOC and other business as necessary.

DATE AND TIME: Thursday, August 19, 2004, 11:00 a.m.

PLACE: Hyatt Hotel, Orlando Airport, Orlando, Florida

Information regarding the meeting may be obtained on our website www.flccoc.org or by contacting: John Dew or Judy Zorn, (850)386-2223.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces the rescheduling of the FAJUA Ad Hoc Vendor Review and Selection Committee Meeting and FAJUA Board of Governors Meeting from Monday, August 16, 2004 to Monday, August 23, 2004, to which all persons are invited:

Ad Hoc Vendor Review and Selection Committee Meeting

DATE AND TIME: Monday, August 23, 2004, 9:30 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss current FAJUA Servicing Carrier Agreement and any other matters that may come before the committee.

FAJUA Board of Governors Meeting

DATE AND TIME: Monday, August 23, 2004, 11:30 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss current FAJUA Servicing Carrier Agreement; OIR Audit Report; and any other matters that may come before the Board

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

COUNCIL FOR EDUCATION POLICY, RESEARCH AND IMPROVEMENT

The **Council for Education Policy, Research and Improvement** announces a public meeting via conference call.

DATE AND TIME: Tuesday, August 24, 2004, 10:00 a.m.

PLACE: Council Office, 574 Pepper Building, 111 West Madison Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss and take action on its Career/Professional Education Report.

For additional information, call: Council office, (850)488-7894.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION

The **Florida Self-Insurers Guaranty Association, Inc.** (FSIGA) announces a meeting of its Board of Directors which is to be held at the venue of the 59th Annual Workers' Compensation Educational Conference. All members of FSIGA and other interested parties are encouraged to attend.

DATE AND TIME: Tuesday, August 24, 2004, 3:00 p.m.

PLACE: Orlando World Center Marriott, One World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, 200 W. College Avenue, Suite 115, Tallahassee, Florida 32301, (850)222-1882.

Any person wishing to appeal any decision made with respect to any matter considered at the above cited meeting will need a record of the proceedings, and for such purpose that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

VISIT FLORIDA

The **Visit Florida**, Board of Directors announces a public meeting of the Nature-Based Tourism Committee of the New Product Development Council.

DATE AND TIME: Wednesday, August 25, 2004, 10:00 a.m. – adjournment

PLACE: VISIT FLORIDA, Corporate Offices, 661 East Jefferson Street, Suite 300, Tallahassee, FL 32301, (850)488-5607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the details of Undiscovered Florida publication themes and the biking trails brochure.

For further information contact: Sara Rogers, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 363.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

The **Visit Florida**, Board of Directors announces a public meeting of the Rural Tourism Committee of the New Product Development Council.

PLACE: Sumter County Economic Development Office and Chamber of Commerce, 225 S. U.S. Highway 301, Sumterville, FL 33585, (352)793-3003

DATE AND TIME: Monday, August 30, 2004, 10:00 a.m. – 4:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Establish and define FY 2004-05 program priorities of VISIT FLORIDA’s Rural Committee.

For further information contact: Sherri Martin, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 366.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

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 July 28, 2004, from Collier County Fire Control & Rescue Districts regarding clarification of what items shall be included pursuant to Section 104.4.1.3, Florida Building Code, when

discerning whether a fire detection and alarm system costs exceed \$5,000. It has been assigned the number DCA04-DEC-147.

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 July 12, 2004 (addendum received July 28, 2004), from T.A. Krebs Architect, Inc. regarding clarification of the Section 1005.7.3, Florida Building Code, requirements for a means of egress from a mezzanine level. It has been assigned the number DCA04-DEC-139.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that the Public Employees Relations Commission has issued an order disposing of the petition for declaratory statement filed by the City of Jacksonville on May 21, 2004. Case No.: DS-2004-002. The following is a summary of the Commission’s disposition of the petition:

The petition was denied because the question it posed was not appropriate for resolution in a proceeding seeking a declaratory statement. The petition inappropriately inquired into a current dispute rather than sought guidance for future actions.

A copy of the order may be obtained by writing: Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Suite 150, Tallahassee, Florida 32399-0950.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by the Miami-Dade County Fire Department, c/o Pedro Bas, Deputy Fire Marshal, on June 17, 2004. The following is a summary of the agency's disposition of the petition:

- A. Is it the intent of NFPA 1: 8-15.2.1 to require fire sprinkler protection in new storage occupancies that potentially will be storing combustible materials? No.
- B. If it is not the intent of NFPA 1: 8-15.2.1 to require fire sprinkler protection, does the A.H.J. have the authority to require such fire sprinkler protection in all new Storage occupancies that potentially will be storing combustibles? No.
- C. Is it the intent of NFPA 1: 1-9.4.1 and NFPA 1: 8-15.2.1 or 8-15.2.2 to require fire sprinkler protection when an existing building without fire sprinkler protection changes use from some other occupancy classification or sub-classification to a storage occupancy storing combustible materials? Yes, but only when the change in use or occupancy is actually made and when the storage of combustibles is consistent with subdivision 8-15.2.2 of NFPA 1.
- D. If it is not the intent of NFPA 1: 1-9.4.1 and NFPA 1: 8-15.2.1 or 8-15.2.2 to require fire sprinkler protection when an existing building without fire sprinkler protection changes use from some other occupancy classification or sub-classification to a storage occupancy storing combustible materials, does the A.H.J. have the authority to require such fire sprinkler protection? Not applicable, answered in 11.C., above.

A copy of the declaratory statement may be obtained in any of the following ways:

- 1. Write to, call or send a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, fax number (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises), or
- 2. E-mail your request to mazzeog@doi.state.fl.us (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or
- 3. Obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal's website at <http://www.doi.state.fl.us/SFM/sfmdeclaratorystatement.htm>.

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:

American Civil Liberties Union of Florida, Inc. (ACLU-FL), Southwest Voter Registration Education Project (SVREP), Common Cause Florida (CCF), Florida Southern Christian Leadership Conference Chapter (FSCLC) and the Florida Voters League, Inc. vs. Florida Department of State; Case No.: 04-2341RX, Rule No.: 1S-2.031(7)

Goode "Buddy" Yeoman vs. Department of Business and Professional Regulation, Construction Industry Licensing Board; Case No.: 04-2414RX; Rule No.: 61G4-12.006(2)

Lonny Ohlfest vs. Miami-Dade Community College, District Board of Trustees; Case No.: 04-2513RU

St. Petersburg Kennel Club, Inc., West Flagler Associates, Ltd., Associated Outdoor Clubs, Inc., Washington County Kennel Club, Inc., Daytona Beach Kennel Club, Inc. and Southwest Florida Enterprises, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 04-2470RU

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

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."

REGIONAL PLANNING COUNCILS

**** FIRST NOTICE ****

REQUEST FOR PROPOSALS

"Comprehensive Analysis of Ambient Surface
and Groundwater Quality Data for the greater
Charlotte Harbor watershed"

Proposals for this service must be received by the Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, by 5:00 p.m. (local time), Friday, October 29, 2004. The Charlotte Harbor National Estuary Program (NEP) reserves the right to reject any or all proposals.

Scope of Service: Water quality data in many areas within the Charlotte Harbor area have not been analyzed on a comprehensive or consistent basis. Many government agencies and citizen groups have the resources to collect water quality data but then often fail to analyze the resulting data and/or make it accessible to the public or resource managers. The objective of this project is to compile and analyze water quality data that have been collected through mid 2005 and compare them to previous trends in water quality for the water bodies within the Charlotte Harbor NEP study area. This project will entail compilation and status and trends analyses of all surface and groundwater quality data within the Charlotte Harbor NEP study area collected and analyzed under institutionalized standard operating procedures, including the Coastal Charlotte Harbor Monitoring Network – a probabilistic designed program initiated in April 2001. Data for numerous biological, field and chemical analytes will be compiled from the Charlotte Harbor NEP, agencies and STORET, analyzed and synthesized into both a hard copy and CD-format report. The final report will analyze these water quality parameters collected through mid 2005 for the subbasins of the Charlotte Harbor NEP and compare the results to previous analyses to provide a long-term description of the water quality within each subbasin. If trends are determined within a water body for a specific analyte, the time frame for that trend will also be determined. Detailed interpretation of the findings by subbasin and potential causes of trends will be included within the final report. This report is an update and follow-up analysis to the

"Water Quality Data Analysis and Report for the Charlotte Harbor National Estuary Program" by Janicki Environmental, Inc in 2003 (available from the Charlotte Harbor NEP).

INVITATION TO PROPOSE: The program hereby solicits proposals for the project "Comprehensive Analysis of Ambient Surface and Groundwater Quality Data for the Charlotte Harbor watershed." The Program anticipates awarding only one contract. The Program reserves the right to reject any or all proposals. Awards will be made to respondents whose proposals are deemed by the Program to be most beneficial, all factors considered.

REQUEST FOR PROPOSALS (RFP) INFORMATION AND INSTRUCTION: All requests for information, instructions and applications for submitting a proposal must be submitted in writing to Ms. Catherine Corbett, Senior Scientist, Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, Fax (239)338-2560 or e-mail: ccorbett@swfrpc.org. All requests for clarification or for additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m. Friday, September 10, 2004.

HOW TO APPLY: A Request for Proposals document may be obtained by contacting, in writing, Ms. Catherine Corbett, Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, Fax (239)338-2560, e-mail: ccorbett@swfrpc.org. All requests for clarification or additional information on the RFP must be submitted in writing to same by no later than 5:00 p.m., Friday, September 10, 2004. Proposals must then be received by the Charlotte Harbor National Estuary Program, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917, by 5:00 p.m. (local time), Friday, October 29, 2004.

EXPRESSWAY AUTHORITIES

NOTICE OF INVITATION TO BID

MDX WORK PROGRAM NO. 40016.060

The Miami-Dade Expressway Authority ("MDX") is seeking the services of a Painting Contractor ("Bidder") for the preparation and painting of Steel Bridges within State Road (SR) 836 and (SR) 112, (the "Project"). The Work for the Project consists of, but is not limited to, providing all labor, materials, equipment and incidentals including maintenance of traffic schemes necessary for the cleaning, abatement of hazardous materials and application of a protective coating system to three structural steel bridges including girders, beams, cross bracing and bearings. The Bidder should be aware that portions of the Work associated with the Project shall be done during weekday night time hours (Sunday through Thursday 9:00 a.m. – 5:30 p.m.).

The MDX System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878, and SR 924.

Sealed Bids will be received at the MDX Headquarters Building, located at 3790 N. W. 21st Street, Miami, Florida 33142 ("MDX Headquarters Building), until 2:00 p.m., Tuesday, September 14, 2004. A Bidder must be prequalified by the State of Florida Department of Transportation in accordance with Rule Chapter 14-22, Florida Administrative Code or certified with Miami-Dade County to provide painting services on the submittal date for the Bids in order to submit a Bid. The bidders must also be certified by the Society for Protective Coatings (SSPC) as a QP-2 Category. A Bidder that is not prequalified in accordance with Rule Chapter 14-22 or certified with Miami-Dade County and certified by SSPC as QP-2 Category on the date of the Bids submittal shall be declared "NON RESPONSIVE" and the Bid will be REJECTED.

Copies of the Plans, Specifications and the Bid Blank book will be available on Friday, August 13, 2004 after 2:00 p.m. at the MDX Headquarters Building located at 3790 N. W. 21st Street, Miami. The cost of these documents is \$25.00 per set. Checks should be made payable to the Miami-Dade Expressway Authority. No refunds will be made for the above charges for any of the documents.

The Contract Time for this Project is set for One Hundred and Eighty (180) calendar days from the date a Notice to Proceed is issued.

MDX has scheduled a Mandatory Pre-Bid Conference to discuss the Project with interested Bidders on Wednesday, August 25, 2004, at 10:00 a.m. at the MDX Headquarters Building located at 3790 N. W. 21st Street, Miami. Please be advised that attendance at this meeting is Mandatory. Any Bidder not attending the Mandatory Pre-Bid Conference will be declared "Non-Responsive".

In accordance with MDX Small Business Participation Policy (copy of this policy may be obtained from MDX website), a 15% Small Business Participation Goal is required for the Project. MDX will also be awarding SBE Bonus to Bidders that exceed the required SBE participation. Complete details of this requirement will be included in the Bid Blank.

If you have any questions regarding this notice, or would like additional information, please contact: Ms. Helen M. Cordero, MDX Procurement Officer, (305)637-3277, Fax (305)637-3281, e-mail: hcordero@mdx-way.com.

All sealed Bids must be received by MDX, 3790 N. W. 21st Street, Miami, Florida 33142, no later than 2:00 p.m., Tuesday, September 14, 2004.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: The Miami-Dade Expressway Authority prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap in accordance with the Provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., the Florida Civil Rights Act of 1992, as amended, § 760.10 et seq., Fla. Stat., and other Federal and state

discrimination statutes. MDX notifies all Firms and individuals that it requires and encourages equal employment opportunities for minorities and women.

MDX strongly supports disadvantaged, small, minority and women owned businesses having full opportunity to submit Proposals in response to this RFQ and commits that Proposers will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE and/or DBE participation of twenty-five percent (25%) for the aggregate of its projects ("Overall Participation Goal"). However, compliance with the Overall Participation Goal is not a prerequisite for the Project, nor does it count towards either the Small Business Goal or the SBE Bonus.

Firms are encouraged to refer to the MDX Small Business Participation Policy for a clear understanding of the Small Business Participation Goal requirement and specifically as it relates to the necessary certifications.

The Overall Participation Goal can be satisfied by M/WBEs, DBEs and SBEs that are currently certified as such with the State or Miami-Dade County. As stated above, certification as an M/WBE or DBE does not count towards satisfaction of the Small Business goal or obtaining the SBE Bonus. However, satisfaction of the Small Business Goal, and any additional SBE participation, will count towards satisfaction of the Overall Participation Goal.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS RECEIVED

**NOTICE OF INVITATION TO BID
MDX WORK PROGRAM NO. 40018(D).060**

The Miami-Dade Expressway Authority ("MDX") is seeking the services of a Sign Contractor ("Bidder") for the removal and installation of Signs within MDX System (the "Project"). The Work for the Project consists of, but is not limited to, providing all labor, materials, equipment and incidentals including maintenance of traffic schemes necessary for the removal and replacement of outdated signs including overhead panels, single and double post sign assemblies The Bidder should be aware that portions of the Work associated with the Project shall be done during weekday night time hours (Sunday through Thursday 9:00 a.m. to 5:30 p.m.).

The MDX System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878, and SR 924.

Sealed Bids will be received at the MDX Headquarters Building, located at 3790 N. W. 21st Street, Miami, Florida 33142 ("MDX Headquarters Building), until 2:00 p.m., Wednesday, September 15, 2004. A Bidder must be prequalified by the State of Florida Department of Transportation in accordance with Rule Chapter 14-22, F.A.C., or certified with Miami-Dade County as a General Building Contractor or General Engineering Contractor on the submittal date for the Bids in order to submit a Bid. A Bidder that is not

prequalified in accordance with Rule Chapter 14-22, F.A.C., or certified with Miami-Dade County on the date of the Bids submittal shall be declared "NON RESPONSIVE" and the Bid will be REJECTED.

Copies of the Plans, Specifications and the Bid Blank book will be available on Friday, August 13, 2004 after 2:00 p.m. at the MDX Headquarters Building located at 3790 N. W. 21st Street, Miami. The cost of these documents is \$25.00 per set. Make checks payable to the Miami-Dade Expressway Authority. No refunds will be made for the above charges for any of the documents.

The Contract Time for this Project is set for One Hundred and Eighty (180) calendar days from the date a Notice to Proceed is issued.

MDX has scheduled a Mandatory Pre-Bid Conference to discuss the Project with interested Bidders on Wednesday, August 25, 2004, at 2:00 p.m. at the MDX Headquarters Building located at 3790 N. W. 21st Street, Miami. Please be advised that attendance at this meeting is Mandatory. Any Bidder not attending the Mandatory Pre-Bid Conference will be declared "Non-Responsive".

In accordance with MDX Small Business Participation Policy (copy of this policy may be obtained from MDX website), a 15% Small Business Participation Goal is required for the Project. MDX will also be awarding SBE Bonus to Bidders that exceed the required SBE participation. Complete details of this requirement will be included in the Bid Blank.

If you have any questions regarding this notice, or would like additional information, please contact: Ms. Helen M. Cordero, MDX Procurement Officer, (305)637-3277, Fax (305)637-3281, e-mail: hcordero@mdx-way.com.

All sealed Bids must be received by MDX, 3790 N. W. 21st Street, Miami, Florida 33142, no later than 2:00 p.m., Wednesday, September 15, 2004.

EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM: The Miami-Dade Expressway Authority prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap in accordance with the Provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., the Florida Civil Rights Act of 1992, as amended, § 760.10 et seq., Fla. Stat., and other Federal and state discrimination statutes. MDX notifies all Firms and individuals that it requires and encourages equal employment opportunities for minorities and women.

MDX strongly supports disadvantaged, small, minority and women owned businesses having full opportunity to submit Proposals in response to this RFQ and commits that Proposers will not be discriminated against on the basis of sex, race,

color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE and/or DBE participation of twenty-five percent (25%) for the aggregate of its projects ("Overall Participation Goal"). However, compliance with the Overall Participation Goal is not a prerequisite for the Project, nor does it count towards either the Small Business Goal or the SBE Bonus.

Firms are encouraged to refer to the MDX Small Business Participation Policy for a clear understanding of the Small Business Participation Goal requirement and specifically as it relates to the necessary certifications.

The Overall Participation Goal can be satisfied by M/WBEs, DBEs and SBEs that are currently certified as such with the State or Miami-Dade County. As stated above, certification as an M/WBE or DBE does not count towards satisfaction of the Small Business goal or obtaining the SBE Bonus. However, satisfaction of the Small Business Goal, and any additional SBE participation, will count towards satisfaction of the Overall Participation Goal.

MDX RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS RECEIVED

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL ARCHITECTURE-ENGINEERING SERVICES REQUEST FOR QUALIFICATIONS (RFQ) – PROFESSIONAL SERVICES:

The Department of Management Services (DMS), Division of Facilities Management and Building Construction on behalf of the Department of State (DOS) is advertising "design professional" opportunities for project DOS-24014000, Planning and Design, New Archaeological Artifact Conservation and Curation Facility, Tallahassee, Florida. For details please visit our web site at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

The award will be made in accordance with Section 287.055, F.S., and the procedures and criteria of the Department of Management Services.

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."

FISH AND WILDLIFE CONSERVATION COMMISSION

REQUEST FOR PROPOSAL
 FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
 TALLAHASSEE, FLORIDA

Competitive sealed request for proposal will be received by the Purchasing Office until the time and date shown for the following:

DATE: September 13, 2004, 2:30 p.m.
 PRE-PROPOSAL CONFERENCE: August 23, 2004, 10:00 a.m.
 PROPOSAL NO.: FWC RFP04/05-02
 PROPOSAL TITLE: LEASING OF BUILDING IN PORT CHARLOTTE FLORIDA

Proposals are requested from responsible developers interested in developing a site and building, containing 6600 net rentable square feet (3600 office/3000 warehouse), for the purpose of leasing the building and its site to the State of Florida. The site of the building which is to be located in the Port Charlotte, FL area between:

- Northern limit – I-75 exit 179 (Toledo Blade Blvd exit)
- Eastern limit – I-75 (location should be west of I-75)
- Southern limit – I-75 exit 158 (Tuckers Grade exit)
- Western limit – Toledo Blade Blvd / Flamingo Blvd.

All program requirements and instructions shall be furnished to all interested developers at a pre-proposal conference to be held at 10:00 a.m., EDT on August 23, 2004, at 1481 Market Circle Unit 1, Pt. Charlotte, Florida, between the State of Florida and interested developers. The building is to be used as office and warehouse space.

If you have any question please contact Philip Stevens, (941)255-7403, between 9:00 a.m. and 4:00 p.m., Monday through Friday or Charlie Miller, (850)488-7345.

PROPOSAL OPENING LOCATION

The public opening of this REQUEST FOR PROPOSAL will be conducted at 2:30 p.m., Eastern Daylight Time, September 13, 2004, at the Florida Fish and Wildlife Conservation Commission, Purchasing Room 364, 620 South Meridian Street, Tallahassee, Florida 32399-1600. PROPOSALS RECEIVED AFTER DATE AND TIME SPECIFIED WILL BE REJECTED.

MAILING INSTRUCTIONS

All proposals shall be submitted in a SEALED ENVELOPE addressed to the Florida Fish and Wildlife Conservation Commission, Room 364, 620 South Meridian Street, Tallahassee, Florida 32399-1600. THE ENVELOPE SHALL BE PLAINLY MARKED ON THE OUTSIDE WITH:

PROPOSAL NUMBER, DATE AND TIME OF THE PROPOSAL OPENING. THE COMMISSION IS NOT RESPONSIBLE FOR THE OPENING OF ANY ENVELOPES THAT ARE NOT PROPERLY MARKED.

The Commission reserves the right to reject any and all bid proposals.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

REQUEST FOR PROPOSALS
 INVESTMENT BANKING SERVICES

The First Florida Governmental Financing Commission, an interlocal governmental bond issuing agency comprised of the Cities of Boca Raton, Clearwater, Gainesville, Hollywood, Sarasota, St. Petersburg; and Broward County, is accepting proposals from qualified professionals for bond underwriting and investment banking services. Deadline for submissions is September 2, 2004. Copies of the RFP documents may be obtained by contacting the Program Administrator, (850)878-1874 or via e-mail: gamsgrp@tfn.net.

**Section XII
 Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.:	BLIM-0805-001
DATE RECEIVED:	8/3/2004
DEVELOPMENT NAME:	GULF HARBORS
DEVELOPER/AGENT:	Kalogianis Land Development Group
DEVELOPMENT TYPE:	28-24.023, F.A.C.
LOCAL GOVERNMENT:	Pasco County
FILE NO.:	BLIM-0805-002
DATE RECEIVED:	8/3/2004
DEVELOPMENT NAME:	TIMBER OAKS
DEVELOPER/AGENT:	Kalogianis Land Development Group
DEVELOPMENT TYPE:	28-24.023, F.A.C.
LOCAL GOVERNMENT:	Pasco County

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Audi of America, Inc., intends to allow the relocation of Crown Eurocars, Inc., as a dealership for the sale of Audi make vehicles, from its present location 6001 34th Street, North, St. Petersburg, Florida 33714, to a proposed location at 18940 US Highway 19, Clearwater, Florida 33764, Pinellas County, Florida, on or after April 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Crown Eurocars, Inc. are dealer operator: Dwayne Hawkins, 6001 34th Street, North, St. Petersburg, Florida 33714; principal investor(s): Dwayne Hawkins, 6001 34th Street, North, St. Petersburg, Florida 33714.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Paul A. Hagan, Audi Network Development Team Leader, Audi of America, Inc., 3800 Hamlin Road, Auburn Hills, MI 48326.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Buell Motorcycle Company, intends to allow the establishment of H-D American Road, LLC, d/b/a Orlando Buell East Shop, as

a dealership for the sale of Buell motorcycles, at 11850 Lake Underhill Road (Orange County), Florida 32825, on or after August 31, 2004.

The name and address of the dealer operators and principal investors of H-D American Road, LLC, d/b/a Orlando Buell East Shop are Steven deli, 7300 Westpointe Blvd, Orlando, Florida 32835 and Michael Bozic, 734 South Bates, Birmingham, MI 48009.

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: Anne Arroyo, Regional Dealer development Representative, Buell Motorcycle Company, 3700 West Juneau Ave., Milwaukee, WI 53201.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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, Harley-Davidson Motor Company, intends to allow the establishment of H-D American Road, LLC d/b/a Orlando Harley-Davidson East Shop, as a dealership for the sale of Harley Davidson vehicles, at 11850 Lake Underhill Road, Orlando (Orange County), Florida 32825, on or after August 31, 2004.

The name and address of the dealer operators and principal investors of H-D American Road, LLC d/b/a Orlando Harley-Davidson East Shop are Steven Deli, 7300 Westpointe, Blvd., Orlando, Florida 32835 and Michael Bozic, 734 South Bates, Birmingham, MI 48009.

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: Anne Arroyo, Regional Dealer Development Representative, Harley-Davidson Motor Company, 3700 West Juneau Ave., Milwaukee, WI 53201.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Boss Hoss Cycles, Inc., intends to allow the establishment of Summit Boss Hoss, LLC, as a dealership for the sale of Boss Hoss motorcycles and trikes, at 740 Bald Eagle Drive, Marco Island (Collier County), Florida 34145, on or after August 27, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Summit Boss Hoss, LLC are dealer operator: Michael Kelly, 740 Bald Eagle Drive, Marco Island, Florida 34145; principal investor(s): Michael Kelly, 740 Bald Eagle Drive, Marco Island, Florida 34145.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Rad Hunsley, Chief Operations Officer, Boss Hoss Cycles, Inc., 790 South Main Street, Dyersburg, TN 38024.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the relocation of Suncoast Motorcycle & Marine, Inc. d/ b/a Suncoast Suzuki of Brooksville, as a dealership for the sale of Suzuki motorcycles, from its present location at 1300 Ponce de Leon Blvd., Brooksville, Florida 34601-1246, to a proposed location at 14432 Cortez Blvd., Brooksville (Hernando County), Florida, on or after December 31, 2004.

The name and address of the dealer operators and principal investors of Suncoast Motorcycle & Marine, Inc. d/b/a Suncoast Suzuki of Brooksville are: John R. Romine, 1300 Pone de Leon Blvd., Brooksville, Florida 34601-1246 and Rebecca S. Romine, 1300 Pone de Leon Blvd., Brooksville, Florida 34601-1246.

The notice indicates an intent to relocate the franchise in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Steve Bortolamedi, Dealer Network manager, American Suzuki Motor Corporation.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, announces it will be accepting applications for inclusion in the drawing for new quota liquor licenses beginning AUGUST 16, 2004 and continuing through NOVEMBER 13, 2004 for the following counties and amounts: ALACHUA (1), BREVARD (2), BROWARD (4) CHARLOTTE (1), CLAY (1), COLLIER (2), DADE (5), DUVAL (4), FLAGLER (1), HILLSBOROUGH (3), LEE (3), LEON (2), MANATEE (1), MARION (2), ORANGE (4), OSCEOLA (3), PALM BEACH (4), PASCO (2), PINELLAS (1), POLK (3), ST. JOHNS (1), ST. LUCIE (1), SARASOTA (1), SEMINOLE (1), VOLUSIA (1).

DBPR Form ABT 4000-033L is the only application that will be accepted for filing into these drawings. All other application forms from prior drawings will be rejected and returned to the applicant. All interested persons should contact the Division's district office serving their area of interest or visit the Division's Internet website at www.myflorida.com/dbpr/abt to obtain the proper application form.

Further information may also be obtained by calling (850)488-8284 or writing: Division of Alcoholic Beverages and Tobacco, Bureau of Licensing, New Quota License Drawing, 1940 North Monroe Street, Tallahassee, FL 32399-1021.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted one new policy and the revision of a second existing policy for review and comment on MyFlorida.com at:

http://www.djj.state.fl.us/DJJServices/Administration/policies_procedures/policyreview.shtml

(please note this is a NEW Website location).

Residential Monitoring for Residential and Correctional Programs Policy (new department-wide policy type B) establishes procedures for contract management and monitoring of residential and correctional facilities. These residential monitoring procedures shall ensure that quality services are provided, that Department standards are maintained, and Department policies, related statutes, and rules are followed.

Institutional Review Board (IRB) Research Proposal Review Process (revised department-wide policy type A) revises an existing policy (FDJJ-1609.01 – previously numbered 609.01) establishing the IRB to review all research applications submitted, to evaluate the risks of each proposal as well as to determine if proposals meet the needs of the department while providing youth involved with DJJ with protection from risks due to research studies.

Both policies are posted for a single 20 working day review and comment period. The closure date for submission of comments on these policies is September 10, 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 July 28, 2004, John O. Agwunobi, M.D., M.B.A., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Tammy Jean Melton, L.P.N., license number PN 5154144. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 30, 2004, John O. Agwunobi, M.D., M.B.A., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Bessie A. Colter, R.N., license number RN 9200827. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 30, 2004, John O. Agwunobi, M.D., M.B.A., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Brandi Marie Mendoza, R.N., license number RN 9172536. 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 August 3, 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 and certificate of Jackie D. Cornett, R.N., C.N.A., license number RN 3127812 and certificate # 0495*****6953. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the

public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received the following 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 Chapter 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., September 3, 2004):

**APPLICATION FOR A
NEW FINANCIAL INSTITUTION**

Applicant and Proposed Location: TBD Bank, 1430 N. Federal Highway, Ft. Lauderdale, Florida

Correspondent: Gerri Raines Dolan, 1292 N. E. 105 Street, Miami Shores, Florida 33138

Received: August 2, 2004

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 26, 2004
 and July 30, 2004

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LEGAL AFFAIRS
Division of Victim Services and Criminal Justice Program

2A-8.005	7/28/04	8/17/04	30/26	
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

5L-1.003	7/28/04	8/17/04	30/24	
5L-1.007	7/28/04	8/17/04	30/24	
5L-1.019	7/28/04	8/17/04	30/24	

Division of Licensing

5N-1.140	7/26/04	8/15/04	30/22	
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DEPARTMENT OF EDUCATION
State Board of Education

6A-14.0061	7/29/04	8/18/04	30/20	30/27
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Florida A and M University

6C3-8.001	7/27/04	8/16/04	Newspaper	
6C3-8.002	7/27/04	8/16/04	Newspaper	
6C3-8.003	7/27/04	8/16/04	Newspaper	
6C3-8.004	7/27/04	8/16/04	Newspaper	
6C3-8.005	7/27/04	8/16/04	Newspaper	
6C3-8.006	7/27/04	8/16/04	Newspaper	

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

9B-1.020	7/27/04	8/16/04	30/19	
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DEPARTMENT OF TRANSPORTATION

14-111.001	7/26/04	8/15/04	30/15	30/27
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF NATURAL RESOURCES
Canal Authority State of Florida

16P-1.001	7/27/04	8/16/04	30/25	
16P-1.002	7/27/04	8/16/04	30/25	
16P-1.003	7/27/04	8/16/04	30/25	
16P-1.004	7/27/04	8/16/04	30/25	
16P-1.006	7/27/04	8/16/04	30/25	
16P-2.001	7/27/04	8/16/04	30/25	
16P-2.002	7/27/04	8/16/04	30/25	
16P-2.003	7/27/04	8/16/04	30/25	
16P-2.004	7/27/04	8/16/04	30/25	
16P-2.005	7/27/04	8/16/04	30/25	
16P-2.006	7/27/04	8/16/04	30/25	
16P-2.007	7/27/04	8/16/04	30/25	
16P-2.008	7/27/04	8/16/04	30/25	
16P-2.009	7/27/04	8/16/04	30/25	
16P-2.010	7/27/04	8/16/04	30/25	
16P-2.011	7/27/04	8/16/04	30/25	
16P-2.012	7/27/04	8/16/04	30/25	
16P-2.013	7/27/04	8/16/04	30/25	
16P-3.001	7/27/04	8/16/04	30/25	
16P-3.002	7/27/04	8/16/04	30/25	
16P-3.003	7/27/04	8/16/04	30/25	
16P-3.004	7/27/04	8/16/04	30/25	
16P-3.005	7/27/04	8/16/04	30/25	
16P-3.006	7/27/04	8/16/04	30/25	

FLORIDA PAROLE COMMISSION

23-21.002	7/30/04	8/19/04	30/20	
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PUBLIC SERVICE COMMISSION

25-22.0365	7/30/04	8/19/04	30/25	
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DEPARTMENT OF CORRECTIONS

33-602.201	7/29/04	8/18/04	30/9	30/20
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DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

60A-1.041	7/30/04	8/19/04	30/14	30/27
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

61D-13.001	7/26/04	8/15/04	30/13	30/26
61D-13.002	7/26/04	8/15/04	30/13	30/26
61D-13.003	7/26/04	8/15/04	30/13	30/26
61D-13.004	7/26/04	8/15/04	30/13	30/26
61D-13.005	7/26/04	8/15/04	30/13	30/26
61D-13.006	7/26/04	8/15/04	30/13	30/26

Electrical Contractors' Licensing Board

61G6-9.004	7/26/04	8/15/04	30/26	
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Board of Employee Leasing Companies

61G7-6.001	7/29/04	8/18/04	30/16	30/25
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Board of Professional Surveyors and Mappers

61G17-5.0043	7/29/04	8/18/04	30/26	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

62D-5.054	7/26/04	8/15/04	30/24	
62D-5.056	7/26/04	8/15/04	30/24	
62D-5.057	7/26/04	8/15/04	30/24	
62D-5.058	7/26/04	8/15/04	30/24	
62D-5.059	7/26/04	8/15/04	30/24	

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-5.003	7/27/04	8/16/04	30/9	30/27
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Board of Medicine

64B8-8.001	7/28/04	8/17/04	30/26	
64B8-8.003	7/28/04	8/17/04	30/26	
64B8-52.004	7/28/04	8/17/04	30/18	

Board of Opticianry

64B12-8.021	7/27/04	8/16/04	30/26	
64B12-8.022	7/27/04	8/16/04	30/26	
64B12-8.023	7/27/04	8/16/04	30/26	
64B12-10.007	7/27/04	8/16/04	30/26	

Division of Environmental Health and Statewide Program

64E-25.001	7/27/04	8/16/04	30/18	30/27
64E-25.002	7/27/04	8/16/04	30/18	30/27
64E-25.003	7/27/04	8/16/04	30/18	30/27
64E-25.004	7/27/04	8/16/04	30/18	
64E-25.005	7/27/04	8/16/04	30/18	
64E-25.006	7/27/04	8/16/04	30/18	