

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Reporting Requirements for Campaign Treasurer's Reports
 RULE NO.: 1S-2.017

PURPOSE AND EFFECT: The purpose of this rule is to provide procedures for the electronic filing of campaign treasurer's reports for all persons and political parties who file with the Division of Elections. The Florida Legislature last session passed Chapter 2004-252, Laws of Florida, which mandates the electronic filing of campaign treasurer's reports, effective January 1, 2005.

SUBJECT AREA TO BE ADDRESSED: This rule is incorporated by reference pursuant to Sections 106.0705 and 106.0706, Florida Statutes, regarding the electronic filing of campaign treasurer's reports effective January 1, 2005.

SPECIFIC AUTHORITY: 106.0705, 106.35(1),(5) FS.

LAW IMPLEMENTED: 106.04, 106.07, 106.0705, 106.076, 106.29, 106.30-.36 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., October 29, 2004

PLACE: Room 307, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Phyllis Hampton, (850)245-6240, at least three days in advance of the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Phyllis Hampton, Division of Elections, Department of State, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports ~~Candidates, Committees, and Political Parties; State Matching Funds.~~

(1) General Reporting Requirements.

(a) All persons and political parties ~~candidates~~ who file campaign treasurer's reports ~~qualify~~ with the Division of Elections (Division) ~~and political parties, political committees, and committees of continuous existence,~~ must file regular reports of contributions and expenditures as set forth in this

~~rule. Candidates who are not eligible to receive state matching funds, and political parties, political committees, and committees of continuous existence need not provide information necessary to request matching funds.~~

(b) All candidates, political parties, political committees, and committees of continuous existence shall submit campaign treasurer's reports filed with the Division of Elections shall be filed in electronic format by means of the internet by either keying in the detail data via the web pages or uploading an electronic file that meets the Division of Election's file specifications. All data must comply with the instructions set forth on Forms DS-DE 13 and 14 42 (Eff. 01/05 9/04) which are incorporated by reference. Copies of these forms may be obtained from the Division's website at <http://election.dos.state.fl.us/index.html>. However, any amendment to a campaign treasurer's report, which report was filed prior to January 1, 2005 and which report was not filed electronically, may be amended by submission of a paper copy of Forms DS-DE 12, 13, 14, 14A, or 94 to the Division of Elections. Any amendment to a campaign treasurer's report, which report was filed prior to January 1, 2005 and which report was filed by magnetic diskette, may be amended by submission of information required by Forms DS-DE 12, 13, 14, 14A, or 94 on magnetic diskette. "Campaign Treasurer's Report Summary," and a magnetic diskette of the information required by Chapter 106, F.S., necessary to complete a campaign treasurer's report.

(c) Prior to filing the first campaign treasurer's report in electronic format, each person or political party must obtain credentials for a secure sign-in to the Division's electronic filing system. Each person or political party is responsible for protecting the credentials from disclosure and is responsible for all filings using these credentials unless the person has notified the Division that his or her credentials have been compromised.

(d) Credentials for a secure sign-in shall be issued by the Division when a person or political party files a completed Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository, or a completed Form DS-DE 5, Statement of Organization of Political Committee, or a completed Form DS-DE 103, Electioneering Communication Statement of Organization. Credentials for a secure sign-in shall be issued by the Division to candidates and their treasurers or deputy treasurers and to chairpersons, treasurers, and deputy treasurers of committees, organizations, and political parties.

(e) Each person or political party who receives secure sign-in credentials will also furnish the Division with confidential personal information that may be used by the person or political party to sign on to the Division's electronic filing system in the event that person or political party loses his or her credentials.

(f) Electronic reports are considered to be filed under oath by the person or political party filing the report and are subject to the fines and penalties in Sections 106.04(4)(d) and (8), 106.07(5) and (8), 106.0705, and 106.29(2) and (3), F.S., as applicable.

(g) Electronic reports are due no later than midnight of the due date. In the event that the electronic filing system is inoperable on the date a report is due, the report will be accepted as timely filed on the first day the electronic filing system is again operable and no fine will be levied during the period the electronic filing system was inoperable.

(2) State Matching Funds Program.

(a) Pursuant to Section 106.33, F.S., a candidate for the office of Governor or member of the Cabinet who desires to receive state matching funds shall, upon qualifying for office, file a request for such contributions with the Division on Form DS-DE 98 (Eff. 1/02), "Candidate for Governor or Cabinet Officer Request for Contributions."

(b) To be eligible to receive state matching funds, a candidate for Governor or member of the Cabinet must not be an unopposed candidate as defined in Section 106.011(15), F.S., and shall:

1. Agree to abide by the expenditure limits provided in Section 106.34, F.S.

2. Raise qualifying matching contributions as provided in Sections 106.33 and 106.35, F.S.

3. Retain copies of all checks received, in-kind documentation, credit or debit card receipts, if applicable, and, in the case of cash copies of the accompanying deposit slips, and copies of cashiers checks. Each campaign treasurer shall submit copies of checks, in-kind documentation, credit or debit card receipts, deposit slips for cash contributions and copies of cashiers checks to the Division at each applicable reporting period; and

4. Submit to a post-election audit of the campaign account and financial records by the Division. Surplus matching funds must be returned before the post-election audit is conducted.

(c) State matching funds shall be distributed within 7 days after the close of qualifying and every 7 days thereafter, to eligible candidates. The first distribution shall be based on verified matching contributions as shown on quarterly reports, filed after September 1 of the calendar year prior to the election, through June 30 of the election year. Thereafter, distribution of funds will be based on weekly reports as provided by Section 106.07(1)(b), F.S. Each weekly distribution of funds will be based on the prior week's report as verified by the Division, if timely received; otherwise, the distribution will be made in the next applicable weekly cycle. The Division shall verify matching contributions contained in the reports with copies of checks, in-kind documentation, credit or debit card receipts, deposit slips for cash contributions and copies of cashier's checks which have been submitted by the candidates.

(d) For candidates who are eligible to receive state matching funds, a report is timely if it is received in the Division by 12:00 noon on the date it is due. If a report is received after 12:00 noon on the due date, such report will be deemed late for matching fund purposes and any eligible matching funds will be distributed in the next reporting cycle. If any fines are due for late filing they will be assessed pursuant to Section 106.07, F.S. For all other candidates, ~~political committees, political parties, and committees of continuous existence,~~ filing deadlines shall be as provided in Section 106.07, F.S.

(e) Reports filed by candidates requesting matching funds must include all information required by this rule and Sections 106.07 and 106.30-36, F.S. ~~All other persons and political parties candidates, political committees, political parties, and committees of continuous existence need only provide the information required by Section 106.07, F.S.~~ If information related to a matchable contribution is missing, incomplete or cannot be verified, no match will be made for that contribution and the candidate will be notified by the Division. However, upon supplying such missing or incomplete information and upon verification by the Division, matching funds will be provided on the next applicable cycle.

(f) If a candidate requesting matching funds submits a report and subsequently amends such report, any adjustment, up or down, to the candidate's distribution of funds will be made on the next weekly cycle occurring after receipt and review of the amended report. All amendments to reports must be submitted electronically in writing by original copy to the Division.

(g) The Division shall record the time that reports are received from candidates requesting matching contributions and distribute funds on a first-in, first-out basis.

(h) An adverse decision regarding the distribution of matching funds may be appealed to the Florida Elections Commission, pursuant to Rule 2B-1.006, F.A.C.

(3) Voluntary Expenditure Limits. Candidates not participating in public campaign finance who wish to voluntarily abide by the expenditure limits of Section 106.34, F.S., and the contribution limits on personal and party funds set forth in Section 106.33, F.S., shall file an irrevocable statement to this effect on Form DS-DE 90 (Eff. 12/93), "Irrevocable Statement To Voluntarily Abide by the Expenditure and Contribution Limits on Personal and Party Funds," upon qualifying for office.

(4) Filing on Magnetic Diskettes. Amendments to electronic ~~Electronic~~ reports which were filed with the Division of Elections prior to January 1, 2005 and which were filed on magnetic diskette shall conform to Division specifications. ~~Any candidate, political committee, political party, or committee of continuous existence who is unable to file a campaign treasurer's report on magnetic diskette, as provided above, must file a statement to this effect with the~~

~~Division of Elections. Thereafter, such reports may be filed in hard copy. When filing by hard copy, one must use Forms DS-DE 12, Campaign Treasurer's Report - Summary (Eff. 9/01); 13, Campaign Treasurer's Report - Itemized Contributions (Eff. 7/98); 14, Campaign Treasurer's Report - Itemized Expenditures, (Eff. 9/01); 14A, Campaign Treasurer's Report - Itemized Distributions (Eff. 7/98); and 94, Campaign Treasurer's Report - Fund Transfers (Eff. 7/98).~~

(5) All forms and specifications contained in this rule are incorporated by reference and are available from the Division of Elections, Room 316, R. A. Gray Building, Tallahassee, Florida 32399-0250.

The proposed effective date of this rule is January 1, 2005.

Specific Authority 106.35(1),(5) FS. Law Implemented 106.04, 106.07, 106.29, 106.30-.36 FS. History--New 11-13-88, Formerly 1C-7.017, Amended 2-28-90, 9-5-93, 1-1-96, 3-5-96, 7-20-98, 7-31-02, 1-1-05.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE TITLE: Application
 RULE NO.: 19B-4.001

PURPOSE AND EFFECT: To update the Florida Prepaid College Plan and Florida College Investment Plan Application form.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan and the Florida College Investment Plan New Account Application and the Master Covenant for the Florida Prepaid College Program.

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

LAW IMPLEMENTED: 1009.98 FS.

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

TIME AND DATE: 2:00 p.m., November 1, 2004

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB ~~2004-1 2003-1~~, is hereby incorporated by reference and may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1). The Florida Prepaid College Plan Program Master Covenant, Form No. FPCB ~~2004-2 2003-2~~, is hereby incorporated by reference and may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.98 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1- 3-01, 10-9-01, 11-27-02, 10-1-03, 1-29-04, _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE TITLE: Contract Prices
 RULE NO.: 19B-4.002

PURPOSE AND EFFECT: To revise the actuarial assumptions for pricing of contracts for the Florida Prepaid College Plan.

SUBJECT AREA TO BE ADDRESSED: The actuarial assumptions used to determine the prices for advance payment contracts in the Florida Prepaid College Plan.

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

LAW IMPLEMENTED: 1009.981(2) FS.

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

TIME AND DATE: 2:00 p.m., November 1, 2004

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.002 Contract Prices.

The Board will evaluate prices for revision annually. All contract prices will be published annually in the Florida Administrative Weekly. Contract prices are based on the actuarial assumption that university tuition will rise at an average of ~~7.5 8.5~~ percent per annum for ~~two three~~ years, then 6.8 percent per annum, community college tuition will rise at an average of 6 percent per annum and dormitory fees will rise at an average of 6 percent per annum. Local fee contract prices are based on the actuarial assumption that university local fees

will rise at an average of 6 percent per annum and community college local fees will rise at an average of 6 percent per annum.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.98(2) FS. History--New 3-29-89, Amended 2-6-90, 3-19-02, Formerly 4G-4.002, Amended 5-31-95, 2-18-99, 2-8-00, 12-28-03,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE TITLE: Application for Participation in the Program

RULE NO.: 19B-16.002

PURPOSE AND EFFECT: To update the Florida Prepaid College Plan and Florida College Investment Plan Application form and to change the effective date of the form.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan and Florida College Investment Plan New Account Application form.

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

LAW IMPLEMENTED: 1009.98 FS.

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

TIME AND DATE: 2:00 p.m., November 1, 2004

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.002 Application for Participation in the Program.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB ~~2004-1~~ ~~2003-1~~, is hereby incorporated by reference. The form may be obtained from the Board by calling by calling 1(800)552-GRAD (4723) (prompt 1).

(3) No change.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.981 FS. History--New 11-27-02, Amended 1-29-04,_____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE TITLE: Participation Agreement

RULE NO.: 19B-16.003

PURPOSE AND EFFECT: To update the Participation Agreement for the Florida College Savings Program.

SUBJECT AREA TO BE ADDRESSED: The Participation Agreement for the Florida College Savings Program.

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

LAW IMPLEMENTED: 1009.981(2) FS.

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

TIME AND DATE: 2:00 p.m., November 1, 2004

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.003 Participation Agreement.

(1) The contract between the Board and a benefactor shall consist of the benefactor's completed application and the participation agreement. The Florida College Investment Plan Participation Agreement, Form No. FPCB ~~2004-4~~ ~~2002-4~~, is hereby incorporated by reference. ~~The effective date of the form is November 12, 2002.~~ The form may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

(2) through (4) No change.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.981(2) FS. History--New 11-27-02, Amended_____.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE CHAPTER TITLE: Approved Forms

RULE CHAPTER NO.: 60S-9

RULE TITLE: Division Forms

RULE NO.: 60S-9.001

PURPOSE AND EFFECT: The purpose of this rule development is to propose the adoption of 12 new Division forms, 30 revised Division forms, the deletion of 3 Division forms and the incorporation by reference of 5 State Board of Administration (SBA) forms.

SUBJECT AREA TO BE ADDRESSED: Forms.

SPECIFIC AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 112.361, 112.363, 120.55, 121.011, 121.031(2), 121.051, 121.0515, 121.081, 121.091, 121.111, 121.121, 121.125, 122.08, 122.09, 215.28, 238.05, 238.06, 238.07 FS.

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

TIME AND DATE: 10:00 a.m., November 15, 2004

PLACE: Division of Retirement, 2nd Floor Conference Room, Cedars Executive Center, Building C, 2639 North Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Julie Shaw at (850)487-3423. If you are hearing or speech impaired, please contact the agency by calling (850)410-0684.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Richard Clifford, Department of Management Services, Division of Retirement, 2639 N Monroe St., Bldg C, Tallahassee, FL 32399-1560, (850)414-6345

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLE: Application and Examination Fees
 RULE NO.: 61G10-12.001

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

SUBJECT AREA TO BE ADDRESSED: Application and Examination Fees.

SPECIFIC AUTHORITY: 481.306, 481.307 FS.

LAW IMPLEMENTED: 481.307 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 FAW.

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

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: State and Local Detention Facilities
 RULE CHAPTER NO.: 64E-26

PURPOSE AND EFFECT: To detect and prevent disease caused by natural and manmade factors in the environment.

SUBJECT AREA TO BE ADDRESSED: An environmental health public facilities function, including sanitary practices relating to places used for the incarceration of prisoners and inmates of state institutions for the mentally ill.

SPECIFIC AUTHORITY: 381.0011(13) FS.

LAW IMPLEMENTED: 381.006(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Grimm, Chief, Bureau of Community Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: Conditional Release of Stop Work Order and Periodic Payment Agreement
 RULE NO.: 69L-6.025

PURPOSE AND EFFECT: The rule is being promulgated to reflect an amendment to Section 440.107(7)(a), Florida Statutes, contained in Chapter 2004-370, Laws of Florida. The amendment to Section 440.107(7)(a), Florida Statutes, authorizes the Division of Workers' Compensation to conditionally release an employer from a stop-work order upon a finding that the employer has complied with the coverage requirements of Chapter 440, Florida Statutes, and has agreed to remit periodic payments of the penalty pursuant to a payment agreement schedule. The amendment further requires that the stop-work order be immediately reinstated if the employer fails to meet any term or condition of the penalty payment agreement, with the unpaid balance of the penalty becoming immediately due.

SUBJECT AREA TO BE ADDRESSED: Stop-work orders and periodic payment of penalties under Section 440.107, F.S.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7)(a) FS.

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

TIME AND DATE: 9:30 a.m., November 1, 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-6.025 Conditional Release of Stop Work Order and Periodic Payment Agreement.

(1) The requirements for issuance of an Order of Conditional Release From Stop Work Order as provided for in Section 440.107, F.S. are:

(a) The employer has come into compliance with the coverage requirements of Chapter 440, F.S. Compliance with the coverage requirements of Chapter 440, F.S. includes demonstration by the employer that it is no longer failing to secure the payment of compensation within the meaning of Section 440.107, F.S.

(b) The employer and the Department have executed a Payment Agreement Schedule for Periodic Payment of Penalty, Form Number DFS-F4-1600 (rev. 7/04).

(c) The employer agrees to file probationary periodic reports with the Department that demonstrate the employer's continued compliance with Chapter 440, F.S. The probationary periodic reports shall be filed as a section of each monthly payment installment invoice pursuant to the Payment Agreement Schedule for Periodic Payment of Penalty.

(2) The terms and conditions of a Payment Agreement Schedule for Periodic Payment of Penalty shall be:

(a) The employer shall make a down payment on the total assessed penalty amount to the Department that is the greater of \$1000.00 or at least 10% of the total assessed penalty amount. The amount constituting the total assessed penalty amount, less the down payment, shall be referred to as the "remaining penalty".

(b) Each monthly payment installment is due on the first day of the month in which it is due, and the employer is in violation of the Payment Agreement Schedule for Periodic Payment of Penalty if the full monthly payment installment is not received by the Department by the last day of the month in which the payment installment is due;

1. An employer whose remaining penalty is less than \$13,500, shall pay the remaining penalty in twelve consecutive monthly installments.

2. An employer whose remaining penalty is \$13,500 or greater shall pay the remaining penalty in twenty-four consecutive monthly installments.

3. The employer may at any time pre-pay the installments of the remaining penalty, which have not become due.

4. The first monthly payment installment shall be due on the first day of the second month following the month of issuance of the Conditional Release From Stop Work Order, Form Number DFS-F4-1602 (rev. 6/04), and each subsequent payment installment shall be due on the first day of each consecutive month.

(c) Monthly payment installments shall only be remitted to the Department's address designated in the Payment Agreement Schedule for Periodic Payment of Penalty.

(d) Monthly payment installments shall be in the form of a cashier's check or money order only, made payable to the Workers' Compensation Administration Trust Fund.

(e) If the employer is a corporation, only an officer of the corporation may execute the Payment Agreement Schedule For Periodic Payment of Penalty on behalf of the employer.

(f) If the employer is a business entity other than a corporation, any principal of the business entity may execute the Payment Agreement Schedule For Periodic Payment of Penalty on behalf of the employer.

(g) Failure by the employer to meet or violation of any term or condition of the Payment Agreement Schedule For Periodic Payment of Penalty shall constitute a default by the employer.

(3) The Payment Agreement Schedule For Periodic Payment of Penalty becomes effective when it is executed on behalf of the employer and by the Department. Upon execution of the Payment Agreement Schedule For Periodic Payment of Penalty, the Department will provide the employer with a Monthly Payment Installment Invoice, Form Number DFS-F4-1601 (rev. 8/04), which shall be submitted with each monthly payment installment. Each Monthly Payment Installment Invoice contains a probationary reporting section that shall be completed by the employer.

(4) If an employer defaults under any of its obligations under the Payment Agreement Schedule For Periodic Payment of Penalty, the Stop Work Order to which the penalty applies shall be immediately reinstated and the entire unpaid balance of the remaining penalty shall immediately become due and payable.

(5) The Department hereby adopts and incorporates the following forms by reference. Copies of the forms can be obtained from the Division of Workers' Compensation's Bureau of Compliance, 200 East Gaines Street, Tallahassee, Florida 32399-4228, or from any field office identified in Rule 69L-6.009, F.A.C.

- (a) DFS-F4-1600 Payment Agreement rev. 7/04
Schedule For Periodic
Payment of Penalty
- (b) DFS-F4-1601 Monthly Payment rev. 8/04
Installment Invoice
- (c) DFS-F4-1602 Order of Conditional rev. 6/04
Release From
Stop-Work Order

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(a) FS. History–New _____.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Campaign Treasurer’s Report; Filing Requirements, Fines for Late Filing

RULE NO.: 1S-2.023

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

SUMMARY: This rule reiterates statutory provisions and is unnecessary.

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: 106.22(9) FS.

LAW IMPLEMENTED: 106.04, 106.07, 106.29 FS.

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

TIME AND DATE: 9:00 a.m., November 8, 2004

PLACE: Room 307, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Phyllis Hampton, (850)245-6240, at least three days in advance of the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phyllis Hampton, Division of Elections, Department of State, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.023 Campaign Treasurer’s Report; Filing Requirements, Fines for Late Filing.

Specific Authority 106.22(9) FS. Law Implemented 106.04, 106.07, 106.29 FS. History–New 2-28-90, Amended 2-5-92, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Phyllis Hampton, Chief, Bureau of Election Records
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sarah Jane Bradshaw, Assistant Director, Division of Elections, Department of State
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2004

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Application Information

RULE NO.: 6A-4.0012

PURPOSE AND EFFECT: The purpose of the rule amendment is to revise the certification application process to incorporate a 2004 legislative change authorizing the acceptance of an affidavit with an original signature in lieu of a notarized signature. The effect is a more streamlined application form and process.

SUMMARY: Senate Bill 2986 as passed in the 2004 Legislative Session, allows acceptance of an affidavit in lieu of a notarized signature for persons applying for a teaching certificate. The application form as referenced in the rule is being amended to reflect this change.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS.

LAW IMPLEMENTED: 943.0585, 943.059, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 FS.

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

TIME AND DATE: 8:30 a.m., November 16, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0012 Application Information.

(1) Application process. To apply for a Florida Educator’s Certificate, an individual shall submit to the Bureau of Educator Certification the following:

(a) A completed Form CG-10 and a nonrefundable application fee. Form CG-10, Application for Florida Educator’s Certificate, effective December 2004 ~~September 2004~~, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the

Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is prescribed below:

1. Request for a professional certificate – \$56.00
2. Request for a temporary certificate – \$56.00
3. Request for an addition of a coverage or endorsement to a valid certificate – \$56.00
4. Request for a name change only – \$20.00
5. Request for a duplicate certificate/subject deletion – \$20.00; or

(b) A completed Form CG-10R and a nonrefundable application fee. Form CG-10R, Application for Renewal or Reinstatement of a Professional Florida Educator’s Certificate effective December 2004 ~~September 2004~~, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is \$56.00. An application for renewal of a professional certificate that is received by the Bureau of Educator Certification or by a district school board office after the expiration of the professional certificate as specified in Rule 6A-4.0051, F.A.C., shall be submitted with a \$30.00 late fee in addition to the nonrefundable application fee.

Specific Authority 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS. Law Implemented 943.0585, 943.059, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 FS. History--New 7-6-82, Amended 9-27-83, Formerly 6A-4.012, Amended 12-25-86, 10-26-88, 5-2-90, 4-24-91, 7-7-92, 5-3-94, 7-18-95, 9-17-01, 11-25-03, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2004

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: General Provisions

RULE NO.: 6A-4.002

PURPOSE AND EFFECT: The purpose of the rule amendment is to delete obsolete language to comply with current language in statute. The effect is an up-to-date rule.

SUMMARY: Outdated references are deleted to align to current provisions in law.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

TIME AND DATE: 8:30 a.m., November 16, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.002 General Provisions.

(1) through (2) No change.

(3) College credit. College credit used for educator certification purposes shall be undergraduate or graduate credit earned at an accredited or approved institution as specified in Rule 6A-4.003, FAC. ~~Credit used to satisfy vocational education course requirements shall be completed at an accredited or approved institution approved by the State Board for Vocational Education.~~ All college credit shall be computed by semester hours. One (1) quarter hour of college credit shall equal two-thirds (2/3) of one (1) semester hour. Community and junior college credit used for educator certification purposes shall parallel those of the first and second years of course work at an accredited or approved institution and shall be comparable to courses offered at Florida community and junior colleges which have been approved by the Florida Department of Education.

(4) No change.

(5) Teaching experience.

(a) No change.

(b) Utilization of teaching experience. A year of full-time teaching experience may be accepted in lieu of three (3) semester hours of college credit. A maximum of three (3) years of teaching experience may be used in lieu of nine (9) semester hours of college credit. Not more than two (2) years of teaching experience may be used in lieu of six (6) semester hours of college credit toward satisfying requirements in ~~general preparation~~, professional preparation, or a specialization area. When teaching experience is used to satisfy a course requirement in a specialization area or to satisfy a methods course requirement in professional preparation, the

teaching experience shall be comparable to the course requirement acquired in the subject or field and at the appropriate instructional level to which it is applied.

(c) through (6) No change.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History--Amended 4-10-64, 4-8-68, 4-11-70, 10-18-71, 3-19-72, 12-18-72, 6-17-73, 4-19-74, Repromulgated 12-5-74, Amended 6-22-76, 6-27-77, 12-26-77, 4-27-78, 7-1-79, 7-2-79, 6-26-80, 7-28-81, 1-3-82, 5-11-82, 6-22-83, 3-28-84, 1-31-85, 3-13-85, Formerly 6A-4.02, Amended 12-25-86, 10-18-88, 10-10-89, 4-15-91, 11-10-92, 5-30-94, 11-13-96, 10-15-01, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 27, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 3, 2004

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt the tenth edition of the FTCE Competencies and Skills for the Florida Teacher Certification Examinations, to correct the weighting of the English 6-12 subject area test, to clarify the accommodations provided for reading, to revise, clarify, and codify the procedures for examinee reviews of scores. In addition, various references contained in the rule will be revised to provide internal consistency in the citations. The effects of these changes are that updated competencies for 10 tests (Art K-12, Preschool Birth-Age 4, Health K-12, Spanish K-12, German K-12, French K-12, Biology 6-12, Chemistry 6-12, Earth/Space Science 6-12, Physics 6-12) will be available to examination candidates and colleges of education, the weighting for the English 6-12 test will be corrected, and the procedures for accommodations and examinee reviews of scores.

SUMMARY: The rule is amended to adopt the Tenth Edition of the Competencies and Skills Required for Teacher Certification in Florida, to clarify the accommodations provided for reading, to revise, clarify, and codify the procedures for examinee review of scores.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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 regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1012.55(1), 1012.56, 1012.59 FS.

LAW IMPLEMENTED: 1012.56 FS.

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

TIME AND DATE: 8:30 a.m., November 16, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Cornelia S. Orr, Director, Assessment and School Performance, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) No change.

(2) Description of the examinations and competencies to be demonstrated.

(a) The Florida Teacher Certification Examinations shall be developed by the Commissioner of Education.

(b) The written examinations shall include subtests of reading, writing, mathematics, professional skills, and subject area specialty. These examinations may contain multiple choice questions and questions requiring the examinee to write an answer or demonstrate a proficiency.

(c) The following competencies are to be demonstrated by means of the written examinations:

1. Beginning with the January 2005 ~~July 2004~~ test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Tenth ~~Ninth~~ Edition."

2. Before January 1, 2005 ~~July 1, 2004~~, the professional competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Ninth ~~Eighth~~ Edition" which is hereby incorporated by reference and made a part of this rule. Beginning January 1, 2005 ~~July 1, 2004~~, the professional competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Tenth ~~Ninth~~ Edition" which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained from Florida Teacher Examinations, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 at a price to be established by the Commissioner not to exceed actual cost, and

3. Before January 1, 2005 ~~July 1, 2004~~, the subject area competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Ninth ~~Eighth~~ Edition" which is hereby incorporated by reference and made a part of this rule. Beginning January 1, 2005 ~~July 1, 2004~~, the subject area competencies and skills contained in the publication "Competencies and Skills

Required for Teacher Certification in Florida, ~~Tenth~~ Ninth Edition” which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)2. of this rule.

(d) Before July 1, 2002, the College Level Academic Skills Test or the Praxis I: Academic Skills Assessment as described in subsection (13) of this rule shall be used to demonstrate mastery of general knowledge for an individual who holds a bachelor’s or higher degree as specified in Rules 6A-4.004, 6A-4.050, and 6A-4.066, FAC.

(3) through (5) No change.

(6) Examinee with a disability. An applicant who is unable to complete the examinations under standard testing conditions because of a disability may request special arrangements. Such a request shall be made when the examination application is submitted. Lack of proficiency in the English language ~~alone~~ shall not ~~alone~~ be acceptable as a justifiable reason for requesting a reader for an examinee. Special arrangements shall be provided for applicants with disabilities.

(a) through (b) No change.

(c) Special test arrangements may include but are not limited to the following:

1. Flexible scheduling. The person may be administered an examination during several brief sessions, so long as that examination is completed on the test administration date. Double time may be allowed.

2. Flexible setting. The person may be administered an examination individually or in a small group setting by a proctor rather than in a classroom or auditorium setting.

3. Recording of answers. The person may mark answers in a test booklet, type the answers by machine, or indicate selected answers to a test proctor. The proctor may then transcribe the person’s responses onto a machine-scorable answer sheet. In instances where the proctor is required to mark the responses on behalf of the examinee, there will be a tape recording of the examinee’s selected responses. A large-block answer sheet may be provided. The person may use a word processor or typewriter to prepare any required essay or other written response. Technical support to operate the word processor or typewriter will be provided.

4. Revised format. The person may use a large-print booklet, a Braille test booklet, or a magnifying device.

5. Auditory aids. A tape recorded version of the examination may be provided, the examination may be read by a narrator, or the examination may be provided via video tape with a narrator using oral language or sign language.

6. Assistive personnel. Test personnel may be provided by the test administrator to record answers, sign test instructions, or read instructions and items other than reading passages and items text. Reading passages and items must be read by the examinee through visual or tactile means.

7. Accommodations not covered by this rule may be requested through the Department of Education and will be provided, as appropriate, upon approval by the Department of Education.

(7) through (8) No change.

(9) Scoring of the subject area specialty examinations.

(a) through (p) No change.

(q) Effective January 1, 2005, the passing scores for the English 6-12 subject area specialty examination shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to the composite score of seventy one (71) on a scale that weights the multiple choice section seventy (70) percent and the essay section thirty (30) percent on the April 1989 test administration.

~~(r)~~ (q) The Commissioner of Education shall review the passing score for each of the General Knowledge Subtests, each of the subject area specialty examinations, and the Professional Education Examination not less than once every five (5) years and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

~~(r) Before July 1, 2004, the subject area specialty examinations approved for use in the Florida Teacher Certification Examinations are listed by subject area in the publication, “Competencies and Skills Required for Teacher Certification in Florida, Eighth Edition.”~~

~~(s) Beginning July 1, 2004, the subject area specialty examinations approved for use in the Florida Teacher Certification Examinations are listed by subject area in the publication “Competencies and Skills Required for Teacher Certification in Florida, Ninth Edition.”~~

(10) No change.

(11) Score reports for the reading, writing, mathematics, professional skills, and subject area examinations.

(a) A properly authenticated score report is defined as the original score report issued directly by the test administration agency without any qualification, reservation, or irregularity.

(b) The examinee shall be sent two (2) authenticated score reports as described in Rule 6A-4.0021(11)(10)(a), FAC. In addition, a copy of the score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report on the either the CG-20-03A, Registration Application: Certification Examinations for Florida Educators or the CG-20-04, Registration Application: Certification Examinations for Florida Educators.

(c) Official documentation of scores earned on each examination for a temporary or for a professional certificate shall be the original authenticated score report as described in paragraph 6A-4.0021(11)(10)(a), FAC., or a duplicate authenticated score report as described in paragraph 6A-4.0021(11)(10)(e), FAC.

(d) Scores shall be reported as Pass or Fail for each subtest of the examination. The Commissioner of Education may provide additional score information to the examinee.

(e) An examinee may obtain a duplicate authenticated score report for a test administration by filing a written request and a fee. A fee is required for each duplicate score report that is requested. The fee shall be that amount necessary for the test administration agency to perform the service as agreed in the contract between the agency and the Florida Department of Education.

(12) Review.

(a) An examinee who fails one (1) or more examination(s) may file a written request with the test administration agency for handscoring of the examination(s) failed. The request shall be filed within thirty (30) days of the date the score report was mailed by the test administration agency. The fee for handscoring one (1) or more examinations shall be that amount necessary for the test administration agency to perform the service as agreed in the contract between the agency and the Florida Department of Education. The test administration agency shall notify the examinee of the results of the handscoring within thirty (30) days of receipt of the request and fee.

(b) An examinee who fails one (1) or more examination(s) may review each examination that was failed and bring to the Florida Department of Education's attention any scoring errors which may result in a passing score. The procedures for test review are listed below:

1. The examinee shall file a written request with Florida Teacher Examinations, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, within thirty (30) sixty (60) days of the date the score report was mailed by the test administration agency.

2. A processing fee is required for each request to review certification examinations for Florida educators. The fee shall be that amount necessary for the test administration agency to perform the services as agreed in the contract between the agency and the Florida Department of Education.

3. The Florida Department of Education shall notify the examinee when a date has been scheduled for the examinee's review of the materials in Tallahassee.

4. On the review day, the examinee shall file with the Florida Department of Education a statement of specific scoring errors which may result in a passing score.

~~5.~~ The Commissioner of Education shall notify the individual of the action on the statement of scoring errors not later than thirty (30) days from receipt of the statement.

6. An examinee may retake a failed examination that was reviewed provided at least thirty (30) days have elapsed since the date of the review. If an examinee takes an examination, including a computer-based examination, that was reviewed within thirty (30) days of the test date, the examination will be invalidated.

(13) through (15) No change.

Specific Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, Amended 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cornelia Orr, Director, Assessment and School Performance, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jeanine Blomberg, Deputy Chief of Staff, Department of Education

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 2004

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Degrees, Programs, and Credits RULE NO.: 6A-4.003

PURPOSE AND EFFECT: The purpose of the rule amendment is to provide clarification of current requirements for approval of inservice programs by school districts and the acceptance of out-of-state teacher preparation programs for certification purposes. The effect is an up-to-date rule.

SUMMARY: Language is revised to reflect current statutory requirements regarding district school board approval of inservice programs and acceptance of teacher preparation programs from accredited and approved institutions in other states.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

TIME AND DATE: 8:30 a.m., November 16, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.003 Degrees, Programs, and Credits.

Degrees, programs, and credits shall be determined acceptable for educator certification purposes based on the following:

- (1) through (2) No change.
- (3) Highest acceptable degree level of training.

(a) The highest degree which has been awarded by an accredited or approved institution as described in Subsections (1) and (2) of this rule, shall be recognized for certification. The degree level shall be determined by the criteria listed below.

1. Bachelor's degree. An earned bachelor's degree, such as the bachelor of arts, bachelor of science, or bachelor of education degree which normally required four (4) years of higher education; or a foreign degree that required sixteen (16) years of combined pre-university and university education; or a foreign degree that has been evaluated by a Department approved nationally recognized ~~an~~ education credential evaluation agency or an accredited or approved institution as the equivalent to a bachelor's degree from an institution as described in Subsections (1) and (2) of this rule shall be recognized as the bachelor's degree level of training.

2. Master's degree. An earned master's degree or an earned advanced bachelor's degree of a professional nature, such as library science, in combination with an earned four-year bachelor's degree; or a post-bachelor's foreign degree that required at least five (5) years of higher education; or a foreign post-bachelor's degree that has been evaluated by a Department approved nationally recognized ~~an~~ education credential evaluation agency or an accredited or approved institution as the equivalent to a master's degree from an institution as described in Subsections (1) and (2) of this rule shall be recognized as the master's degree level of training.

3. Specialist in education degree. An earned sixth-year post-master's level degree in education, such as specialist in education degree shall be recognized as the specialist's degree level of training.

4. Doctor's degree. An earned academic or professional doctor's degree, or an earned Bachelor of Laws (LLB) or higher law degree granted by an institution of higher learning in the United States, or a foreign doctor's degree that required at least seven (7) years of higher education, or a foreign doctor's degree that has been evaluated by Department approved nationally recognized ~~an~~ education credential evaluation agency or an accredited or approved institution as the equivalent to a doctor's degree from an institution as described in Subsections (1) and (2) of this rule, shall be recognized as the doctor's degree level of training.

- (b) No change.
- (4) Accreditation and acceptance of teacher education programs for specific certification purposes.
- (a) No change.

(b) Inservice components in a Florida District Inservice Plan ~~approved by the Florida Department of Education~~. A core of inservice components prescribed for a specific endorsement and approved by the district school board ~~Department of Education~~ in the master inservice plan shall satisfy the ~~professional preparation and~~ specialization requirements for the designated endorsement. Successful completion of the components in the approved master inservice plan shall be verified by the Florida district superintendent.

(c) Teacher education programs in states other than Florida. A teacher education program at the bachelor's or higher degree level shall fulfill the general and professional preparation requirements and the specialization requirements for an academic class subject or a degreed vocational class subject in accordance with the following provisions:

1. The teacher education program shall have been granted by an accredited or a Department approved institution approved for the initial regular certificate at the time of completion by the state department of education in the state where the institution is located, or by the National Council for the Accreditation of Teacher Education, and

2. The major subject of the approved program shall be in a subject in which Florida offers certification; and

3. The instructional level of the major subject of the approved program shall be comparable to or broader than the instructional level at which Florida offers certification in the subject; and

4. When a master's or higher degree is required for Florida certification in a subject, the program must have been completed at the same or higher degree level.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—Amended 4-20-64, 3-26-66, 4-8-68, 7-7-68, 4-11-70, 1-17-72, Repromulgated 12-5-74, Amended 6-22-76, 11-9-76, 10-12-77, 7-1-79, 1-3-82, 4-30-85, Formerly 6A-4.03, Amended 12-25-86, 9-12-89, 4-15-91, 11-25-97, 10-15-01, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 2004

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Educator's Certificates with Academic, Administrative, Degreed Vocational, and Specialty Class Coverages

RULE NO.:

6A-4.004

PURPOSE AND EFFECT: The purpose of the rule amendment is to make changes to comply with current language in statute including the new twelve-month timeline for fingerprinting for issuance of an initial certificate, and to delete obsolete provisions. The effect is an up-to-date rule.

SUMMARY: This rule is amended to revise language to reflect current statutory requirements regarding the requirement that fingerprint reports be processed within twelve months of the beginning validity date of the initial certificate issued.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

TIME AND DATE: 8:30 a.m., November 16, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.004 Florida Educator’s Certificates with Academic, Administrative, Degreed Vocational, and Specialty Class Coverages.

A Florida educator’s certificate is issued to an applicant with academic, administrative, degreed vocational, and specialty class coverages as specified below.

(1) Temporary certificate.

(a) The three-year nonrenewable temporary certificate may be issued to an applicant who does not qualify for the professional certificate but meets the following requirements:

1. through 2. No change.
3. Satisfies the fingerprint requirement as follows:

a. Submits the original fingerprint reports which have been processed by the Florida Department of Law Enforcement and the Federal Bureau of Investigation as specified below:

(I) Original fingerprint reports shall be provided by the employing district, state supported school, or nonpublic school. A name and description search shall be acceptable in lieu of a technical fingerprint search after two (2) sets of fingerprints are declared illegible by the Florida Department of Law Enforcement or the Federal Bureau of Investigation or when an individual is unable to provide fingerprints because of a physical disability, and

(II) Fingerprints shall have been submitted to the Florida Department of Law Enforcement and the Federal Bureau of Investigation within the ~~twelve month~~ two-year period immediately preceding the beginning validity date of the certificate which is issued, ~~date of employment for which the certificate is required~~, or

b. Holds a Florida educator’s certificate which has not expired for more than one (1) school fiscal year from the date the application for a certificate is received by the Bureau of Educator Certification.

(b) Expired temporary certificates. A three-year nonrenewable temporary certificate may be issued to an applicant who held a temporary certificate but did not hold a temporary certificate for the school year immediately preceding the school fiscal year for which the certificate is requested and meets all requirements specified in paragraph (1)(a) of this rule.

(2) Professional certificate. The professional certificate is the highest type of full-time certificate issued. The professional certificate is issued to an applicant who meets the requirements as specified in Sections ~~1012.56~~ 231.17(1) and (2), Florida Statutes. However, if a subject area test has not been developed and the absence of such test prohibits an individual from obtaining a professional certificate or adding a subject to a professional certificate, the employing Florida district superintendent or chief administrative officer of a state supported or nonpublic school may verify the attainment of the essential subject matter competencies. ~~When the Praxis I Academic Skills Test is used for the general knowledge test, the score must meet the score established in Rule 6A-4.0021, F.A.C.~~

(3) through (6) No change.

(7) Expired certificates.

(a) through (c) No change.

(d) An applicant whose professional certificate has been expired ~~for less than five (5) years~~ may reinstate the professional certificate if requirements are completed as specified in subsection 6A-4.0051(6), F.A.C.

Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—Amended 4-20-64, 4-8-68, 7-7-68, 4-11-69, 4-11-70, 9-17-72, 8-17-74, Repromulgated 12-5-74, Amended 11-9-76, 7-1-79, 8-27-80, 1-3-82, 4-26-84, 11-18-84, 6-18-85, Formerly 6A-4.04, Amended 12-25-86, 10-18-88, 9-12-89, 12-4-89, 4-15-91, 10-10-91, 5-3-94, 10-15-01, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 2004

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:

Renewal and Reinstatement of a 6A-4.0051
Professional Certificate

PURPOSE AND EFFECT: The purpose of the rule amendment is to comply with current language in statute including the new provision for banking excess college credit or inservice points in the teaching of reading for subsequent renewals of a Professional Certificate. The effect is an up-to-date rule.

SUMMARY: This rule is amended to reflect current procedure for receipt of electronic exam score reports and the new provision to hold in reserve excess college credit or inservice points in the teaching of reading for renewal of a Professional Certificate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs 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 regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1001.02, 1012.55, 1012.585 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.585 FS.

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

TIME AND DATE: 8:30 a.m., November 16, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0051 Renewal and Reinstatement of a Professional Certificate.

A professional certificate is renewed or reinstated and certification coverages retained on the certificate in accordance with the following provisions:

(1) Professional certificate. A professional certificate may be renewed for the individual who meets the requirements specified below:

(a) No change.

(b) Subject area tests. A passing score on a subject area test in the certification area shown on the certificate may be used to renew the coverage on the professional certificate. A subject area test shall be approved by the Florida State Board of Education and shall be in a certification area shown on the certificate. One (1) test shall be equal to three (3) semester hours of college credit. Official documentation of a passing score on each subject area test used for renewal of the

certificate shall be submitted electronically from the test administration agency beginning July 1, 2002, to the Bureau of Educator Certification, Florida Department of Education or ~~and~~ shall be the original score report issued by the test administration agency for scores earned prior to July 1, 2002.

(c) No change.

(2) No change.

(3) General requirements.

(a) All requirements necessary for the renewal of a certificate shall be completed during the last validity period of the certificate to be renewed and prior to the expiration date of the certificate. Requirements for the first renewal shall be completed subsequent to the date that the application for the certificate was received in the Bureau of Educator Certification, Florida Department of Education, or subsequent to the beginning validity date shown on the certificate, or subsequent to the date eligibility was established for the first professional certificate, whichever is later.

(b) through (f) No change.

(4) No change.

(5) Special provisions for teachers of limited English proficient students and teachers of reading.

(a) An educator who holds a professional certificate may use college credits or inservice points completed in English-for-Speakers-of-Other-Languages training and the teaching of reading in excess of six (6) semester hours during one certificate-validity period toward renewal of the professional certificate during the subsequent validity periods.

(b) An educator who holds a temporary certificate may use college credits or inservice points completed in English-for-Speakers-of-Other-Languages training and the teaching of reading toward renewal of the educator's first professional certificate. Such training must not have been included within the degree program, and the educator's temporary and professional certificates must be issued for consecutive school years.

(c) These provisions supersede the requirements in paragraph (3)(a) of this rule for the individuals noted in paragraphs (5)(a) and (b) of this rule.

(6) Reinstatement of a professional certificate. The Department may reinstate an expired professional certificate ~~within five (5) years after the date of expiration~~ if the certificate holder:

(a) Completes the application requirements as specified in Rule 6A-4.0012, FAC.;

(b) Satisfies the fingerprint requirement as specified in subparagraph 6A-4.004(1)(a)3., FAC.;

(c) Documents completion of six (6) semester hours of college credit during the five (5) years immediately preceding reinstatement of the expired certificate, completion of one hundred twenty (120) inservice points, or a combination thereof, as specified in paragraph (1)(a) of this rule; and

(d) During the five (5) years immediately preceding reinstatement of the certificate, achieves a passing score on the subject area examination for each subject to be shown on the reinstated certificate. Only subjects currently issued by the Department may be shown on a reinstated certificate.

Specific Authority 1001.02, 1012.55, 1012.585 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.585 FS. History--New 12-25-86, Amended 4-23-91, 2-12-92, 10-15-01, _____

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 2004

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Safety Inspection of Bridges	14-48
RULE TITLES:	RULE NOS.:
Purpose	14-48.001
Safety Inspection of Bridges	14-48.0011
Definitions	14-48.002
Designation of Division	14-48.003
Application of Standards	14-48.004
Inspection Requirements	14-48.005
Qualification of Personnel	14-48.006
Qualifications for Certification	14-48.007
Certification	14-48.008
Refusal, Revocation or Suspension of Certificate	14-48.009
Training Courses	14-48.010
Inspection Report	14-48.011
Inventory	14-48.012
Recording and Coding Guide for Maintenance	
Inspection of Public Bridges	14-48.013
Executive and Legislative Reports	14-48.014

PURPOSE AND EFFECT: The 14 existing rules in this rule chapter are being replaced with a single updated rule covering Safety Inspection of Bridges.

SUMMARY: The 14 existing rules are obsolete. All 14 rules are being repealed and replaced by a single rule covering Safety Inspection of Bridges.

SPECIFIC AUTHORITY: 334.044 (2) FS.

LAW IMPLEMENTED: 335.074 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 RULES 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 RULES IS:

SAFETY BRIDGE INSPECTION OF BRIDGES STANDARDS

14-48.001 Purpose.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 339.05 FS., Federal Highway Program Manual Volume 6, Chapter 7, Section 4, Subsection 1. History--New 6-6-77, Formerly 14-48.01, Repealed _____.

14-48.0011 Safety Inspection of Bridges.

(1) Purpose. The purpose of this rule is to establish standards for safety inspection of bridges, as well as certification requirements for bridge inspectors.

(2) The *Manual for Condition Evaluation of Bridges*, 1994, Second Edition as revised by the 1995, 1996, 1998, and 2000, interim revisions, published by the American Association of State Highway and Transportation Officials (AASHTO), is hereby incorporated by reference and made a part of this rule. Copies of this manual are available from AASHTO, 444 North Capitol Street Northwest, Suite 249, Washington, DC 20001.

(3) The *Federal Highway Administration Recording and Coding Guide for the Structure Appraisal of the Nation's Bridges*, December 1995, is hereby incorporated by reference and made a part of this rule. This manual is available on line and can be downloaded at <http://www.fhwa.dot.gov/bridge/mtguide.pdf>.

(4) Training Course. Bridge inspectors must complete the Safety Inspection of In-Service of Highway Bridges course provided by the National Highway Institute. Information regarding this training can be obtained by contacting the National Highway Institute at its website: <http://www.nhi.fhwa.dot.gov/default.asp>.

(5) The Department will certify persons with a minimum of five years of bridge construction or maintenance inspection experience in a responsible capacity, who have completed the training course as bridge inspectors. The five years of constructive experience must include at least one year of experience conducting bridge safety inspections meeting the requirements of the National Bridge Inspection Standards, 23 C.F.R., Part 650, Subpart C, incorporated herein by reference.

The other four years may include any combination of the following: engineering education, bridge construction, bridge maintenance, materials testing, or additional bridge safety inspection. The Application for Bridge Inspection Certification, DOT Form 850-010-16, Rev. 09/04, is hereby incorporated by reference and made a part of this rule. Copies of this form can be obtained from State Maintenance Office, 605 Suwannee Street, MS 52, Tallahassee, Florida 32399-0450.

Specific Authority 334.044(2) FS. Law Implemented 335.074 FS. History–New _____.

14-48.002 Definitions.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 339.05 FS., Federal Highway Program Manual Volume 6, Chapter 7, Section 4, Subsection 1. History–New 6-6-77, Formerly 14-48.02, Repealed _____.

14-48.003 Designation of Division.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 339.05 FS., Federal Highway Program Manual Volume 6, Chapter 7, Section 4, Subsection 1. History–New 6-6-77, Formerly 14-48.03, Repealed _____.

14-48.004 Application of Standards.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 339.05 FS., Federal Highway Program Manual Volume 6, Chapter 7, Section 4, Subsection 1. History–New 6-6-77, Formerly 14-48.04, Repealed _____.

14-48.005 Inspection Requirements.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 316.535, 339.05 FS., Federal Highway Program Manual Volume 6, Chapter 7, Section 4, Subsection 1. History–New 6-6-77, Formerly 14-48.05, Repealed _____.

14-48.006 Qualification of Personnel.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 337.11 FS. History–New 6-6-77, Formerly 14-48.06, Repealed _____.

14-48.007 Qualifications for Certification.

Specific Authority 334.044(2) FS. Law Implemented 335.074 FS. History–New 6-6-77, Formerly 14-48.07, Repealed _____.

14-48.008 Certification.

Specific Authority 334.044(2) FS. Law Implemented 335.074 FS. History–New 6-6-77, Formerly 14-48.08, Repealed _____.

14-48.009 Refusal, Revocation or Suspension of Certificate.

Specific Authority 334.044(2) FS. Law Implemented 120.569, 120.57, 335.074 FS. History–New 6-6-77, Formerly 14-48.09, Amended 1-17-99, Repealed _____.

14-48.010 Training Courses.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 339.05 FS., Federal Highway Program Manual, Volume 6, Chapter 7, Section 4, Subsection 1. History–New 6-6-77, Formerly 14-48.10, Repealed _____.

14-48.011 Inspection Report.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 339.05, 120.53(1)(b) FS., Federal Highway Program Manual, Volume 6, Chapter 7, Section 4, Subsection 1. History–New 6-6-77, Formerly 14-48.11, Repealed _____.

14-48.012 Inventory.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 339.05 FS., Federal Highway Program Manual, Volume 6, Chapter 7, Section 4, Subsection 1. History–New 6-6-77, Formerly 14-48.12, Repealed _____.

14-48.013 Recording and Coding Guide for Maintenance Inspection of Public Bridges.

Specific Authority 334.044(2) FS. Law Implemented 335.074, 339.05 FS., Federal Highway Program Manual, Volume 6, Chapter 7, Section 4, Subsection 1. History–New 6-6-77, Formerly 14-48.13, Repealed _____.

14-48.014 Executive and Legislative Reports.

Specific Authority 334.044(2) FS. Law Implemented 335.074 FS. History–New 6-6-77, Formerly 14-48.14, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard I. Kerr, Bridge Maintenance Inspection Engineer
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2004
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 2004

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Public-Private Transportation Facilities
 RULE CHAPTER NO.: 14-107
 RULE TITLE: Public-Private Transportation Facilities
 RULE NO.: 14-107.0011
 PURPOSE AND EFFECT: Rule 14-107.0011, F.A.C., is substantially reworded. The current Sections (1) through (8) are replaced with totally reworded Sections (1) through (4). “Public” is added to the title of both the rule and the rule chapter.
 SUMMARY: Rule 14-107.0011, F.A.C., substantially reworded.
 SPECIFIC AUTHORITY: 334.30 FS.
 LAW IMPLEMENTED: 334.30 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:

(Substantial Rewording of Rule 14-107.0011 follows. See Florida Administrative Code for present text.)

14-107.0011 Public-Private Transportation Facilities.

(1) An initial fee of \$50,000 payable to the Florida Department of Transportation must accompany a public-private transportation facility proposal. Proposals received without the initial fee shall not be accepted.

(2) Payment shall be made by cash, cashier's check, or any other non-cancelable instrument. Personal checks will not be accepted.

(3) If the initial fee is not sufficient to pay the Department's costs of evaluating the proposals, the Department shall request in writing additional amounts required. The public-private partnership or private entity submitting the proposal shall pay the requested additional fee within 30 days. Failure to pay the additional fee shall result in the proposal being rejected.

(4) The Department shall refund any fees in excess of the costs of evaluating the proposal after the evaluation is complete.

Specific Authority ~~334.044(2)~~; 334.30 FS. Law Implemented 334.30 FS. History--New 3-13-97, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gene Branagan, Manager Project Finance Section, Financial Planning Office

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 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."

PUBLIC SERVICE COMMISSION

DOCKET NO. 040436-TP

RULE TITLE: Regulatory Assessment Fees; Telecommunications Companies

RULE NO.: 25-4.0161

PURPOSE AND EFFECT: To increase the amount of regulatory assessment fees paid by certificated or registered telecommunications companies to cover the Public Service Commission's actual cost of regulating the companies.

SUMMARY: Raises the regulatory assessment fee of .15% of a certificated or registered communication company's gross operating revenues derived from intrastate business to .20%.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The rule will increase the amount of regulatory fees that telecommunications companies must pay.

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

SPECIFIC AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 350.113, , 364.02(13), 364.336 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO: FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE THESE PROPOSED RULE IS: Christiana Moore, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6245

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.

(1) As applicable and as provided in Sections 350.113, 364.02(13) and 364.336, Florida Statutes, each company shall remit a fee based upon its gross operating revenue as provided below. This fee shall be referred to as a regulatory assessment fee, and each company shall pay a regulatory assessment fee in the amount of 0.0020 ~~0.0015~~ gross operating revenues derived from intrastate business. For the purpose of determining this fee, each telecommunications company shall deduct from gross operating revenues any amount paid to another

telecommunications company for the use of any telecommunications network to provide service to its customers. Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$50 shall be imposed.

(2) through (3) No change.

(4) Commission Form PSC/CMP 25 (/), entitled "Local Exchange Company Regulatory Assessment Fee Return," Form PSC/CMP 26 (/), entitled "Pay Telephone Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 34 (/), entitled "Shared Tenant Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 153 (/), entitled "Interexchange Company Regulatory Assessment Fee Return"; and Form PSC/CMP 1 (/), entitled "Alternative Access Vendor Regulatory Assessment Fee Return"; and Form PSC/CMP 7(/), entitled "Competitive Local Exchange Company Regulatory Assessment Fee Return" are incorporated into this rule by reference and may be obtained from the Commission's Division of the Commission Clerk and Administrative Services.

(5) through (7) No change.

(a) The request for extension must be submitted on Form PSC/CCA 124 (/) written and will be granted if the company has applied for the extension within the time required in (b) below and the company does not have any unpaid regulatory assessment fees, penalties or interest due from a prior year accompanied by a statement of good cause. Form PSC/CCA 124 (/), entitled "Regulatory Assessment Fee Extension Request" is incorporated into this rule by reference and may be obtained from the Commission's Division of the Commission Clerk and Administrative Services.

(b) through (8) No change.

Specific Authority 350.127(2) FS. Law Implemented 350.113, 364.02(13), 364.336 FS. History—New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-26-95, 7-7-96, 11-11-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Mailhot

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 5, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 30, No. 21, May 21, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE: Employee Grooming, Uniform and Clothing Requirements
RULE NO.: 33-208.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to move rule language specific to correctional officers and correctional probation officers from the general

employee grooming rule to new rules in the institutions and community corrections sections of the rules, and to clarify grooming requirements for employees.

SUMMARY: The proposed rule moves language specific to correctional officers and correctional probation officers from the general employee grooming rule to new rules in the institutions and community corrections sections of the rules, and clarifies that 1/4 beards may be worn by staff unless the wearing of facial hair interferes with performance of assigned duties.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) No change.

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

(a) No change.

(b) Staff shall be permitted to wear a neatly trimmed 1/4 inch beard, unless the wearing of facial hair would interfere with the performance of assigned duties.

(3) Uniform requirements for correctional officers are provided in Rule 33-602.601, F.A.C. Badge requirements for correctional probation officers are provided in Rule 33-302.115, F.A.C. The following are conditions and requirements for wearing department uniforms:

~~(a) The warden shall ensure that staff are reviewed and inspected daily in their uniforms. This will ensure that the uniform is worn properly and that the uniform is being properly maintained and that appropriate care is being provided.~~

~~(b) The uniform, when required of the position, shall be worn in a complete or full manner at all times while an employee is performing official duties. Uniforms are to be issued as soon as possible after employment. Correctional officers may be issued class A, B, C, D, E, F or G uniforms~~

depending upon their assignment. Employees shall be authorized to purchase additional class D uniform polo shirts and class C and D uniform BDU trousers from the employee's club. The uniform or any parts of it furnished by the department are not to be worn during off duty hours or when an employee is not acting in an official capacity except when traveling directly to and from work. No part of the uniform may be duplicated by an employee for any purpose.

(e) At all times, uniforms are to be in serviceable condition, neat in appearance, clean and properly worn as provided in this rule. Class A uniforms will be starched and neatly pressed. Class B and C uniforms will be neatly pressed. All foot wear shall be shined to a high gloss, except that medical staff are authorized to wear shoes that present a clean white appearance that may have a flat finish.

(4)(d) Employees are solely responsible for alterations to and the care of uniforms and clothing issued by the department. Instructions for care which are attached to each item of clothing should be followed. Unless specified otherwise, the laundering and cleaning of clothing items issued to employees is the responsibility of the employee. The laundering and cleaning of correctional officer class A, B, C, D, F, and G uniforms is the responsibility of the employee. The department shall be responsible for cleaning the class E (battle dress utility) uniform issued for deployment to correctional emergency response teams and rapid response teams. This cleaning shall not be performed at the institution. The other class E uniform issued for training purposes shall be maintained by the employee. Any items of department issued clothing, including correctional officer uniforms, which have been contaminated by blood or other body fluids shall be left at the institution to be laundered at an outside facility to prevent contamination outside the work area. All contaminated items shall be kept together apart from non-contaminated laundry and shall be clearly marked as contaminated for transmission to a professional laundering service. Contaminated items shall be placed in a water soluble bag and then placed in a yellow plastic bag labeled "Contaminated Linen" and sealed shut. Personnel handling the yellow bag during transport to the commercial laundry shall wear disposable latex gloves and shall inform personnel at the commercial laundry that the items in the bag are contaminated. Employees shall bear the cost of replacements of items lost or damaged due to improper use, care or maintenance of the item. Restitution is to be in the amount equal to the cost of the articles of clothing lost or damaged, or equal to the cost of replacement, whichever is less.

(5)(e) Uniforms and clothing issued by the department are the property of the state and must be returned to the department upon termination of employment. Employees shall be allowed to retain issued uniforms and clothing when transferring to another institution of the department. Prior to the transfer, the transferring employee must update his or her Individual Clothing

Record, Form DC2-816, and must make restitution for any lost or missing clothing. Form DC2-817, Authorization for Uniform Replacement, shall be used by officers requesting replacement of worn or otherwise unserviceable uniforms. Forms DC2-816 and DC2-817 are incorporated by reference in subsection (8)(9) of this rule. Unserviceable clothing shall be rendered unwearable by shredding after the removal of all patches.

(f) Jewelry.

1. No necklaces, chains or medallions shall be worn around the neck such that they are visible while in uniform.

2. The only visible jewelry allowed shall be wrist watches, wedding bands, engagement rings and earrings (females only).

a. Female staff shall be allowed to wear post or clip on earrings on the earlobes only.

b. Only one pair of earrings will be worn at a time.

e. For safety purposes, earrings shall not be hooped or dangling.

(g) Fingernails.

1. Fingernails will be neatly trimmed and clean with no designs.

2. Fingernails shall be rounded at the tips and shall not extend more than 1/4 inch past the end of the finger.

3. Polish, if worn, shall be clear or solid in color. Only female officers are authorized to wear nail polish.

(h) Sunglasses.

1. Sunglasses with green, brown, black or gray lenses are authorized for wear out of doors.

2. No neon (day glow) frames will be allowed.

3. No mirrored sunglasses will be allowed.

(i) Hair length.

1. Male correctional officers shall adhere to standards outlined in paragraph (2)(a).

2. Female correctional officers will not wear their hair beyond the shoulders or yoke of the shirt. When wearing the class D uniform polo shirt, the hair shall not extend beyond the point where the yoke would be on a comparable class A, B or C uniform shirt.

3. When wearing a hat, female officers will wear their hair in a manner so as not to interfere with the fit or proper wearing of the hat.

(j) Hair style.

1. Hair will be clean, neat and present a groomed appearance.

2. If the hair is dyed, only natural shades will be permitted.

3. Hair clips or barrettes for female correctional officers shall blend in with the hair, i.e., gold, silver, black or brown of solid color.

(k) Safety equipment and clothing. Correctional officers shall wear safety equipment and apparel which is compatible with the needs of the officer's assignment.

(l) The following uniform accessories shall be provided by the correctional officer:

1. Shoes;
2. Boots (except for C.E.R.T. and Rapid Response Teams, Canine, Boot Camp staff, and extended day staff);
3. Belts;
4. Socks or stockings;
5. Thermal gloves.

(4) The following provisions shall apply to employees in the positions of correctional officer colonel, correctional officer major, correctional officer captain, correctional officer lieutenant, correctional officer sergeant and correctional officer. For the purposes of this rule, "correctional officer" is used to refer to the individual position or the class which includes all of the above listed positions.

(a) Class A Uniform:

1. The correctional officer class A uniform issued by the department shall be worn only while performing official duties as determined by the warden.

2. The class A uniform will be mandatory for all court appearances. The class A uniform will consist of:

a. Brown wool blend trousers with black stripes. One pair will be issued.

b. White long sleeve shirt for correctional officer lieutenant and above and long sleeve silver tan shirt for correctional officers and sergeants. One shirt will be issued. Hash marks to denote years of service will be worn on the left sleeve of the class A shirt. Each hash mark will denote three cumulative years of service with the agency. The hash marks will be affixed to the left sleeve with the lowest point one inch above the cuff seam angling backward and up at a forty five degree angle. The rear of the hash mark will align with the pressed crease of the shirt. The class A shirt will be worn fully buttoned at all times.

(b) Class B Uniform:

1. The correctional officer class B uniform shall consist of brown poly cotton trousers with a black stripe and white uniform shirt for lieutenant and above and silver tan uniform shirt for correctional officer and sergeant.

2. The class B uniform will be optional (as determined by the employee) for general institutional duties.

(c) Class C Uniform:

1. The correctional officer class C uniform issued by the department shall consist of poly cotton blend brown Battle Dress Utility (BDU) trousers and white uniform shirt for lieutenant and above and silver tan uniform shirt for correctional officer and sergeant.

2. BDU trousers will be military style and worn only with military jump style or lightweight law enforcement type boots supplied by the employee. The BDUs will not be worn with low cut shoes regardless of the class of uniform being worn.

3. The class C uniform will be optional (as determined by the employee) for general institutional duties.

(d) Class D Uniform:

1. The correctional officer class D uniform issued by the department shall consist of poly cotton blend brown Battle Dress Utility (BDU) trousers and white polo type shirt for lieutenant and above and silver tan polo type shirt for correctional officer and sergeant.

2. POLO type shirts may only be worn with BDU trousers.

3. Polo type shirts will include an embroidered correctional officer badge over the left shirt pocket. The badge will include the rank of the staff member.

4. BDU trousers will be military style and worn only with military jump style or lightweight law enforcement type boots supplied by the employee. The BDUs will not be worn with low cut shoes.

5. The class D uniform will be optional (as determined by the employee) for general institutional duties.

(e) Class E Uniform:

1. The correctional officer class E uniform shall be issued only to C.E.R.T and Rapid Response Team (baton squads and munitions squads) members.

2. The Class E uniform shall consist of a brown battle dress utility pants and shirt for rapid response teams and black for C.E.R.T.

3. The class E uniform shall be worn with military style black jump or combat boots which will be provided by the department.

4. Class E uniforms are only to be worn when the teams are responding to an emergency or during training.

a. During training, the battle dress utility shirt is optional. T-shirts can be worn for training.

b. The department uniform cap shall be worn during training and other events when the helmet is not being worn.

c. The caps and T-shirts will be provided by the department and will match the battle dress utility pants which will be worn during training.

d. Two sets of class E uniforms will be issued to each team member. One uniform shall be maintained with assigned equipment at all times to ensure the team member is in a constant state of readiness.

(f) Class F Uniform:

1. The Class F uniform shall be issued to tracking canine officers and shall consist of:

a. Brown or camouflage BDU or brush pants. The camouflage color shall be appropriate for the season and surrounding terrain as determined by the warden.

b. Brown or camouflage battle dress utility shirt with:

I. Sleeves appropriate for the weather;

II. The correctional officer's first and last name embroidered (in gold for the brown shirt and in black for the camouflage shirt) above the right pocket;

III. K-9 embroidered on the back in gold on the brown shirt, optional in black for the camouflage shirt;

IV. A department patch on the left shoulder with "Tracking Unit" embroidered underneath in gold for the brown shirt and in black for the camouflage; the department patch is not mandatory for the camouflage shirt.

V. A cross flags patch on the right shoulder for the brown shirt. The cross flags patch is not mandatory for the camouflage shirt.

e. T-shirt (optional for field work only), khaki in color or camouflage to match the pants, with "K 9" embroidered on the back in gold for the khaki T-shirt and in black for the camouflage T-shirt;

d. A brown, green or camouflage (color appropriate for surrounding terrain as determined by the warden) field jacket (M-65 military battle dress utility);

e. A black (brown, green or sand option for camouflage) nylon or cloth pistol belt with handcuff case, glove pouch and holster;

f. Military-style combat, jump, or Hi-tech boot;

g. Brown or camouflage uniform cap (optional);

h. Brown or camouflage chaps may be issued to wear over pants legs;

i. Leather badge holder;

j. Heavy duty cut resistant utility gloves;

k. Tactical ballistic vest.

1. Snakebite boots will be provided to K-9 program officers by the department. The boots will be black, khaki, or woodland camouflage design.

2. During actual escape and recapture situations, canine staff may remove any reflective uniform items or any items that would interfere with the stealth of the camouflage uniform.

3. Components of the uniform shall not be mixed, i.e., camouflage pants, shirt and hat will be worn together as will the brown uniform. There will be no color mixing.

4. Wardens shall issue each officer assigned to the K-9 program a minimum of five pairs of pants, three long-sleeved shirts and five short-sleeved shirts.

(g) Class G Uniform. The Class G uniform will be issued to narcotic K-9 handlers and shall consist of:

1. Blue six-pocket BDU-style pants, which shall be worn bloused inside the boot.

2. Blue polo-style shirt. Insignias will be consistent for all handlers as determined by the Inspector General.

3. Black nylon duty belt. Only department-issued or approved items shall be worn on the belt.

4. Black military-style jump boot (Hi-tech, Rocky, Bates) provided by the department;

5. Black cut-resistant search gloves. Gloves will be full-fingered.

6. Leather badge holder.

7. Blue baseball-style cap with department insignia.

8. Narcotics K-9 handlers will be issued five pairs of pants, three long-sleeved shirts and five short-sleeved shirts.

(h) The following items may be worn with the correctional officer uniform as defined below:

1. Brown outerwear coat authorized for wear with class A, B, C, D, E, F, and G uniforms. Rank may be worn on the coat epaulettes.

2. Brown tie — authorized for wear with the class A uniform only. Tie clasps or tie tacks shall either be plain or have a department emblem or insignia and must match the nameplate and rank insignia in color. The service pin shall be permitted to be worn as a tie tack with the class A uniform.

3. Hat authorized for wear with the class A, B, and C uniform. The hat is no longer a mandatory part of the Class A uniform. Officers who have been issued hats are authorized to wear them, but additional hats will not be ordered for issuance by the department. Excessive rolling of hats will not be permitted.

4. Western style riding hat authorized for wear by correctional officers assigned to field labor squads when outside the secure perimeter of the correctional facility. The western style riding hat will be furnished by the department.

5. Uniform cap — authorized for wear with the Class A, B, C, D, E, F, and G uniform. Caps shall not be worn for formal occasions such as court appearances or funerals. The uniform cap shall be solid brown with a departmental emblem embroidered on the center front above the bill of the cap. Additional lettering, logos or rank insignia are not authorized on caps. The uniform cap will be furnished by the department.

6. Correctional officer badges.

a. Badges shall be issued to all certified correctional officers regardless of their work location.

b. Correctional officer badges will be issued by the department to be worn as part of the class A, class B, and class C uniform.

c. The badge will be worn approximately one-half inch above the left shirt pocket centered on the fashion seam and affixed through the pre-sewn holes, or for uniforms without pre-sewn holes, affixed through the fabric. Officers wearing the polo shirt are authorized to wear the department-issued badge on a black leather badge holder furnished by the employee. The badge holder will be affixed to the duty belt and will be worn on the left side of the trousers.

d. The badge shall be routinely cleaned and presented in a manner so as to reflect the pride and professionalism of the Department of Corrections.

e. Use of the issued badges as credentials for personal purposes is prohibited.

f. Only badges issued by the department shall be used to conduct officially designated duties.

g. The badge shall be ~~2-1/4" x 1-15/16"~~ in size, silver colored metal for correctional officers and sergeants and gold color for lieutenants and above with black lettering, and pre-numbered with a pin clasp for securing to the shirt.

h. The badges shall be issued to certified officers upon employment and will be not be provided to uncertified officers until after certification is received.

i. ~~Correctional officers shall be responsible for reimbursing the department for any issued badge which is lost, stolen, or damaged outside the performance of duty.~~

j. Issued badges are considered state property and, except for retirement under specific conditions, shall be returned to the department upon the officer's termination of employment with the department or removal from a position within the correctional officer class series.

k. ~~Correctional officers who retire from the department under honorable conditions and are eligible to retire under the State of Florida retirement system, including retirement under medical disability, shall be authorized to retain their issued badges.~~

l. ~~Correctional officers of any rank who are promoted, transferred, or otherwise relocated into a non-security position shall return their badges to the warden of the institution the staff member is departing. If an officer who is being promoted requests to keep the badge, he or she shall be allowed to do so upon reimbursement of the department of the cost of a replacement badge.~~

m. The institution receiving the staff member will issue a new badge to the officer from that institution's inventory.

n. Badges will not be issued to canines.

7. Rank Insignias:

a. Sergeant pin for correctional officer sergeants shall be worn on the collar military style with Class A, B, C, F, and G uniforms only.

b. Gold colored lieutenant's bar for correctional officer lieutenants shall be worn on the collar military style with Class A, B, C, F, and G uniforms only.

c. Gold colored captain's bar for correctional officer captains shall be worn on the collar military style with Class A, B, C, F, and G uniforms only.

d. Gold colored major's insignia for correctional officer major shall be worn on the collar military style with Class A, B, C, F, and G uniforms only.

e. Gold colored colonel's insignia for correctional officer colonel shall be worn on the collar military style with Class A, B, C, F, and G uniforms only.

f. Rank insignia will not be worn on the polo type shirt.

8. Nameplate—gold or silver to match rank insignia, shall contain the employee's last name and first two initials (no rank abbreviation) shall be worn above the right pocket with Class A, B, and C uniforms only. Replacement nameplates for name

change, loss, normal wear and tear, or other damage outside the performance of normal duty will be the employee's responsibility.

9. Brown skirt for females can be substituted for trousers for religious reasons only upon written authorization of the regional director of institutions following review of the officer's written request. The skirts will be the same fabric as the trousers with no stripe.

10. Whistle, as authorized by the warden worn with Class A, B, C, F, and G uniforms. Whistles will be the same color as the rank insignia and, if worn, must be furnished by the employee.

11. Service Pin. The department service pin is authorized to be worn above the nameplate with Class A, B, and C uniforms only.

12. Shift Supervisor Patch. Correctional officer supervisors assigned as shift supervisors are authorized to wear the shift supervisor patch with Class A, B, and C uniforms. When worn, the shift supervisor patch will be sewn directly above the flag patch on the right shirt sleeve.

13. Meritorious Service Pin.

a. The meritorious service pin (quality award) is worn over the right shirt pocket, one half inch above the nameplate, centered on the military crease (vertical fashion seam) with Class A, B, and C uniforms only.

b. For those staff members who have service in excess of five years and are presently displaying a regular service pin as part of their uniform dress, the regular service pin will be relocated one half inch to the left of the military seam and the meritorious service pin will be displayed one half inch to the right of the military seam. Both pins will be situated one half inch above the nameplate.

c. When additional department issued pins are worn, they will be displayed using the following formula: odd numbers of pins one half inch above the first row of pins and centered on the military crease; even numbers of pins one half inch above and centered over lower rows of pins.

14. Emergency Response Team (E.R.T.) Pin.

a. The E.R.T. pin will be issued to C.E.R.T., emergency response teams and canine teams for wear with class A, B and C uniforms.

b. The E.R.T. pin shall be worn evenly spaced between the bottom of the badge and the top of the left shirt pocket, centered on the military crease.

15. Drill Instructor Pins.

a. Drill instructor pins (for basic training program officers only) will be worn one half inch above the left shirt pocket and centered on the military crease.

b. If worn along with the E.R.T. pin, the drill instructor pin will be worn one half inch above the E.R.T. pin. K-9 or other squad pins will no longer be worn on the uniform.

16. American Flag and Certified Public Manager (CPM) pins:

a. A small American flag pin is authorized to be worn with class A, B or C uniforms.

b. Graduates of the CPM course are authorized to wear the pin with class A, B or C uniforms.

c. These pins shall be displayed utilizing the formula outlined in sub-subparagraph (4)(h)13.c. above.

d. No other non-department issued pins are authorized for wear.

17. Flag Patches. Flag patches shall be sewn one inch below the shoulder crease on the right shirt sleeve of the uniform shirt. When worn, the institutional rocker emblem shall be sewn or otherwise affixed directly over the department emblem on the left shirt sleeve.

18. Gloves:

a. Glove pouches for disposable latex or vinyl gloves will be issued to all officers.

b. Plain black gloves are authorized for wear during cold weather when working outside. Lettering or logos on gloves are not authorized.

c. Protective gloves will be issued to employees upon request.

19. Shoes and Boots:

a. Shoes shall be black, plain-toed military style.

b. Boots, including Hi-Tech types are permissible with uniform pants but are mandatory with BDU pants. The boots must be black with a plain toe, regular heel, and no decorative stitching. Black side webbing inserts are permissible. Heels shall not exceed one and one half inches in height.

c. All footwear must be capable of maintaining a high gloss.

20. Belts. Belts must be black, 1 1/2 to 1 5/8 inches in width, with either a silver colored open-face metal buckle or a bronze buckle bearing the department emblem. Buckles must be approximately the same width as the belt.

21. Socks:

a. Socks must be black.

b. If white socks are needed for medical reasons, the employee shall be required to wear socks with a white foot and black upper part or white socks can be worn under black ones.

c. Female officers shall be allowed to wear flesh tone stockings.

22. Ponchos and Raincoats. Plain see-through ponchos or raincoats with no logos are authorized for wear.

23. Maternity Uniforms. Pregnant officers will be issued maternity uniforms upon request. At least four maternity uniforms will be issued.

24. Windbreakers. The brown department windbreaker with department emblem on the left chest is authorized to be worn with the class B, C, D, E, F, or G uniform. No other color

windbreaker is authorized for uniformed staff. Additionally, non-uniformed staff are authorized to wear a brown or black department windbreaker.

(i) The standard department issue of uniforms will be as follows:

1. One class A shirt with hash marks;
2. One pair of wool blend class A trousers;
3. Two pair of BDU trousers;
4. Two pair of polyester/cotton class B trousers;
5. Three uniform shirts;
6. Two polo type shirts;
7. One brown outer wear coat;
8. One cap;
9. One glove pouch;
10. One brown clip on tie.

(5) Correctional officers assigned to the recreation department shall wear full uniforms to and from work, but shall be allowed to change into recreational attire during regular duty hours.

(6) The following guidelines shall apply to those correctional officers assigned to boot camp facilities and those staff assigned to supervise the basic training program for youthful offenders.

(a) Correctional officers assigned to supervise boot camp facilities, the basic training program and extended day programs shall wear either the class C or class D uniform. The jump boots will be furnished by the department.

(b) Correctional officers assigned to supervise boot camp facilities shall be authorized to wear military style drill instructor hats provided by the department.

(c) The uniform shirt shall be tucked into the trousers in the military style tuck.

(d) Uniforms shall be worn in such a manner that the button flap on the shirt, the right edge of the belt buckle, and the zipper flap on the trousers are in a direct vertical line.

(e) Uniforms shall be clean and neatly pressed.

(f) Boots shall be highly polished at the beginning of each work day and shall remain in that condition during all ceremonial inspections of the basic training program inmates.

(g) The uniform cap shall be worn by all uniformed basic training program staff. Officers of the rank of correctional officer supervisor or higher shall wear their rank insignia on the center front of their caps in lieu of the department emblem.

(h) Officers supervising physical training are authorized to wear running shoes during physical training for safety and comfort.

(i) Each basic training program officer shall carry a whistle on a chain attached to the left epaulet and clipped to the left front pocket of the uniform shirt. Whistles will be furnished by the department.

(j) Each officer shall be issued a pair of class A trousers to be worn as prescribed in paragraph (4)(a).

~~(6)(7)~~ No change.

~~(7)(8)~~ No change.

~~(9) Correctional Probation Officer Badges~~

~~(a) Circuit administrators shall maintain control and inventory of correctional probation officer badges within each circuit.~~

~~1. The circuit administrator shall issue badges to officers after certification is received.~~

~~2. The circuit administrator or designee shall conduct quarterly circuit badge inventories and submit the circuit badge inventory to the regional director. The quarterly circuit badge inventory shall include the following information:~~

~~a. Badge number,~~

~~b. Name of officer, in the last name first first name last format (or blank if not issued),~~

~~c. Circuit and office location,~~

~~d. Status (including issued, not issued, stolen, lost, or retired), and~~

~~e. Total counts for each status, including the total number of badges issued, the total number of badges not issued, the total number of badges stolen, the total number of badges lost, and the total number of badges retired.~~

~~3. The regional director or designee shall compile the circuit inventories to complete quarterly regional badge inventories and submit the regional badge inventories to the Director of Community Corrections:~~

~~(b) Only badges issued by the department shall be used to conduct officially designated duties. The badge shall be 2 1/4" by 1 5/16" in size and silver colored metal for correctional probation officers and correctional probation senior officers and gold color for correctional probation specialists, correctional probation supervisors, correctional probation senior supervisors, correctional probation administrators, and fugitive apprehension coordination team correctional services consultants. Badges shall be pre numbered with black lettering. The badges shall be carried in badge cases which shall be issued by the department.~~

~~(c) Use of the issued badge as a credential for personal purpose is prohibited.~~

~~(d) Badges shall be readily accessible in order for the correctional probation officer to properly identify himself or herself to the public.~~

~~(e) Loss or theft of a badge shall be reported to the officer's immediate supervisor within 72 hours of the officer becoming aware that the badge was stolen or lost. Theft or loss of a badge shall be reported by the officer on the Community Corrections Incident Report, Form DC3-225, followed by a MINS report by the circuit administrator. Form DC3-225 is incorporated by reference in Rule 33-302.104, F.A.C. The officer shall be responsible for reimbursing the department for any issued badge which is lost.~~

~~(f) Correctional probation officers shall maintain their original badge issued if transferred to another circuit or region. The circuit administrator or designee in both circuits shall update their badge inventories accordingly. Once the officer has transferred to another circuit, the sending circuit administrator or designee shall remove the badge information from the circuit's inventory and the receiving circuit administrator or designee shall add the badge information to his or her circuit's inventory.~~

~~(g) Correctional probation officers who leave the department shall return their badges to the circuit administrator prior to departing.~~

~~(h) Correctional probation officers promoted to a position outside the class series or who retire from the department under honorable conditions and who are eligible to retire under the State of Florida retirement system, including retirement under medical disability, who desire to retain their issued badges, shall make a request to the regional director.~~

~~(i) Regional directors shall review requests submitted by employees to maintain their badges and forward recommendations to the Director of Community Corrections for final approval. Officers who retire shall be allowed to retain their issued badges. Officers who are promoted shall be allowed to keep their badges upon reimbursement of the department of the cost of a replacement badge. The badge of a correctional probation officer who is killed in the line of duty shall be presented to the employee's next of kin.~~

~~(8)(10)~~ No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History-- New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02, 2-20-03, 6-26-03, 10-27-03, 12-28-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 1, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 17, 2004

DEPARTMENT OF CORRECTIONS

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify which department staff are authorized to approve inmate visitors.

SUMMARY: The proposed rule provides that visitors may be approved by the warden, duty warden, or assigned institutional classification officer.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.713 Inmate Visiting – Definitions.

(1) through (9) No change.

(10) “Approved Visitor” refers to any person who is approved by the assigned institutional classification officer, warden or duty warden to visit an inmate and whose approval is documented in the automated visiting record.

(11) through (16) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, 9-29-03, 3-7-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
George Sapp

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 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 Respiratory Care

RULE TITLE: Disciplinary Guidelines

RULE NO.: 64B32-5.001

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUMMARY: The proposed new language in this rule sets forth the penalties for testing positive on specified drug screening(s).

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

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

SPECIFIC AUTHORITY: 456.079, 468.365(4) FS.

LAW IMPLEMENTED: 456.072, 468.365 FS.

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

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

64B32-5.001 Disciplinary Guidelines.

(1) through (2) No change.

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

<p>(cc) <u>Testing positive in a pre-employment conditions and/or employer ordered drug screen.</u> (456.072(1)(z), F.S.)</p>	<p><u>First Offense</u></p>	<p><u>From six months probation with referral to PRN to revocation and a fine from \$500 to \$2,000.</u></p>
	<p><u>Second Offense</u></p>	<p><u>From one year probation with conditions and referral to PRN to revocation and an administrative fine from \$1,000 to \$10,000.</u></p>

(4) through (6) No change.

Specific Authority 456.079, 468.365(4) FS. Law Implemented 456.072, 468.365 FS. History–New 4-29-85, Formerly 21M-37.01, 21M-37.001, Amended 1-3-94, Formerly 61F6-37.001, 59R-74.001, 64B8-74.001, Amended 5-5-02, _____.

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: August 6, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 2004

FLORIDA HOUSING FINANCE CORPORATION

<p>RULE TITLES: Definitions Builders Commitments Loan Processing Rental of Bond Financed Residences Waiver of Repayment Terms under Mortgage Rating of Bonds</p>	<p>RULE NOS.: 67-25.002 67-25.010 67-25.011 67-25.014 67-25.016 67-25.017</p>
--	---

PURPOSE, EFFECT AND SUMMARY: This rule is being amended to add updates and deletions to the existing language in this 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: 420.507 FS.

LAW IMPLEMENTED: 420.502, 420.507, 420.508, 420.509 FS.

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

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

PLACE: Florida Housing Finance Corporation, Sixth Floor Conference Room, 227 North Bronough Street, Tallahassee, Florida 32301

Any person requiring special accommodation at this hearing because of a disability or physical impairment should contact David Draper at the address below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Draper, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

67-25.002 Definitions.

(1) through (21) No change.

(2) "Maximum Acquisition Price" means the maximum purchase price of a Single Family Residence, as prescribed in the IRS Revenue Procedures ~~2004-24~~ ~~94-55~~, hereby incorporated by reference. The Acquisition Price Limits are also subject to the FHA/VA/RD limits for the counties, hereby incorporated by reference. Copies of these documents may be obtained by contacting the Single Family Bonds Program Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329.

(23) "Maximum Annual Family Income" means, with respect to Mortgage Loans originated on new and existing Single Family Residences, the annual family income may not exceed 115% (or ~~140~~ ~~120~~% in targeted areas) of the state or local median income, whichever is greater as required by federal law. Maximum annual family income limits are established by the Corporation under a specific bond program as set forth in the Program Documents.

(24) through (28) No change.

(29) "MCC" means Mortgage Credit Certificate, which shall not exceed 20% of the Eligible Person's annual mortgage interest paid, not to exceed \$2,000.

~~(30)(29)~~ "New Construction" means a residential dwelling unit which has not previously been occupied.

~~(31)(30)~~ "Participating Lender" means the entity signing a Master Mortgage Purchase Agreement and the applicable Supplements to the Master Mortgage Purchase Agreement, hereby incorporated by reference. A copy of this document may be obtained by contacting the Single Family Bonds Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1397. By virtue of executing the Master Mortgage Purchase Agreement represents that it is a home mortgage lending institution or entity: (a) Participating in the local private home lending market; (b) That is an FHA-approved mortgagee (with direct endorsement underwriting authority preferred), or a VA-approved lender (with automatic approval authority preferred), or an RD-approved lender (unless waived by the Corporation or its designee); (c) With respect to Conventional Mortgage loans, is a FannieMae or Freddie Mac approved lender in good standing, has errors and omissions coverage of at least \$300,000, meets the requirements of the Corporation or its designee with respect to financial status and is acceptable to a FannieMae or Freddie Mac PMI Insurer; (d) Which can make the representations and warranties and covenants set forth in the Master Mortgage Purchase Agreement; and (e) Which has agreed to and will originate Mortgage Loans itself or through Correspondent Lenders.

~~(32)(31)~~ "Single-Family Bond Program" means the Corporation's Single-Family Mortgage Revenue Bond Program pursuant to which a trustee, on behalf of the Corporation, will purchase Qualified Mortgage Loans from the participating lenders or obligations secured by Qualified Mortgage Loans from Qualified Lending Institutions.

~~(33)(32)~~ "Qualified Appraiser" means an individual or firm that is qualified as an appraiser by the society of real estate appraisers or the American Institute of Real Estate Appraisers and acceptable or approved by FHA, VA, FannieMae, Freddie Mac or any private mortgage insurance provider to provide appraisal reports.

~~(34)(33)~~ "Qualified Lending Institution" means any bank or trust company, mortgage banker, savings bank, credit union, national banking association, savings and loan association, building and loan association, insurance company, the First Housing Development Corporation of Florida, or other financial institution or governmental Corporation authorized to transact business in the state of Florida which institution customarily provides services in the financing of mortgages for real property in Florida. All Qualified Lending Institutions must be qualified FHA, VA, FNMA or FHLMC originators and servicers as required by the program documents.

~~(35)(34)~~ "Qualified Mortgage Loan" means any loan under the Corporation programs made to an eligible borrower and evidenced by a mortgage note which is secured by a related mortgage on the eligible property.

~~(36)~~(35) “Single-Family Residence” means a residential unit used as a single-family residence, which is taxed as real property under the laws of the state and is located in the State, including a condominium unit and a manufactured home meeting conventional or FHA standards, which is acceptable to any insurer providing private mortgage insurance, under the program or FHA, VA or RD. The dwelling structure may consist of two-, three- or four-family dwelling units, one unit of which is to be occupied by the mortgagor of the units and all of which units were first occupied as homes at least five (5) years before the Loan with respect to such Home which: (a) Is designed and intended primarily for residential housing; (b) Is determined by qualified appraisal as provided herein to have an expected useful life of not less than 30 years or the term of the mortgage, whichever is less; (c) Will be occupied by the owner as his or her principal residence within a reasonable time after financing is provided. For purposes of this subparagraph 60 days shall be deemed a reasonable time; (d) Acquisition price does not exceed the maximum acquisition price; and (e) Appurtenant land reasonably maintains the basic livability of the residence and will not be used for business purposes to generate additional income to the Eligible Borrower, (including child care services on a regular basis for compensation) unless such income is used to qualify the borrower for the loan.

~~(37)~~(36) “Targeted Area” means those areas within the State listed as Federally Designated Census Tracts, Areas of Chronic Economic Distress (if any) and areas in need of economic revitalization as determined by local government officials and adopted by Resolution, hereby incorporated by reference. A copy of the listing of such areas can be obtained by contacting the Single Family Bonds Program Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329.

~~(38)~~(37) “VA” means the Department of Veterans Affairs, an agency of the United States of America.

Specific Authority 420.507(12), (24) FS. Law Implemented 420.509, 420.509(11)(c) FS. History—New 4-15-87, Formerly 91-25.002, Amended 12-16-03, _____.

67-25.010 Builders Commitments.

~~(1) The Corporation recognizes the need to encourage new construction through the use of bond proceeds and accordingly may authorize or require the setting aside by Qualified Lending Institutions of portions of the funds available for mortgage origination to finance the purchase of newly constructed, not previously occupied, residences in an amount not to exceed 25% of the bond proceeds. The Corporation shall authorize or require such set asides based upon a determination by the Corporation that the size of the issue and market conditions will allow such set asides and that such set asides would be in the best interest of the public. If such set asides are allowed, the Corporation shall allow the Qualified Lending Institution to sub-commit the new construction set aside to builders and to~~

~~charge the builders a fee for such sub-commitment not in excess of the commitment fee paid to the Corporation for the same funds.~~

~~(2) In the case of set asides for builders, participants will be given a time period established in the program documents, to issue firm commitments to eligible borrowers. Failure to issue such commitments within the time period prescribed will result in forfeiture of the remaining portion of the set aside. In the event of forfeiture, the funds shall be made available to all Participating Lenders statewide on a first-come, first-served basis or reallocation pursuant to the program documents.~~

Specific Authority 420.507(12) FS. Law Implemented 420.507(14), 420.507(21), 420.508 FS. History—New 4-15-87, Formerly 91-25.010, 12-16-03, Repealed _____.

67-25.011 Loan Processing.

Proceeds from tax-exempt bonds may not be used to issue MCC and is prohibited from use with a mortgage loan financed through the Single Family Bond Program. All applications for and all Qualified Mortgage Loans are processed by the Participating Lenders in accordance with the Participating Lenders’ standard underwriting criteria and additional criteria which may be imposed by FHA, VA, FannieMae, Freddie Mac, RD or other parties insuring and guaranteeing the Qualified Mortgage Loans. All closed Qualified Mortgage Loans shall be presented to the trustee or to the Qualified Lending Institution issuing obligations secured by the Qualified Mortgage Loans for purchase of the Qualified Mortgage Loans or obligations pursuant to the program documents.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.508 FS. History—New 4-15-87, Formerly 91-25.011, Amended 12-16-03, _____.

67-25.014 Rental of Bond Financed Residences.

(1) through (4) No change.

(5) Requests for authorization to rent a bond-financed residence which are granted shall be granted for a certain period of time ~~certain~~ with extensions being granted only for a demonstrated good cause. For purposes of temporary relocation, authorization for rental shall be for no more than the length of time of the temporary transfer. For purposes of permanent relocation, no authorization shall exceed a period of 12 consecutive months with extensions being granted only upon a showing by the borrower of a continuous good faith effort to sell the residence at its appraised market value.

(6) No change.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History—New 4-15-87, Amended 2-1-89, Formerly 91-25.014, Amended 12-16-03, _____.

67-25.016 Waiver of Repayment Terms under Mortgage.

The Corporation shall waive the repayment of a portion of the mortgage loan under the program if the Corporation determines, in conjunction with the program guidelines, that it

is necessary to do so in order to comply with arbitrage restrictions as they are defined in the IRC ~~4954~~ code of 1986 and the code, as applicable, or any regulations there under.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History--New 4-15-87, Formerly 91-25.016, Amended _____.

67-25.017 Rating of Bonds.

The Corporation shall determine what rating is required on the bonds. In making that determination, the Corporation will take into consideration the current market ~~marketing~~ conditions and the best interest of the public.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History--New 4-15-87, Formerly 91-25.017, Amended 12-16-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Draper, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Esrone McDaniels, Deputy Director Homeownership Program, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, (850)488-4197

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES: Definitions Rule NOS.: 67-45.001
General Program Restrictions 67-45.003

PURPOSE, EFFECT AND SUMMARY: This rule is being amended to add updates and deletions to the existing language in this 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: 420.5088 FS.

LAW IMPLEMENTED: 420.507 FS.

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

TIME AND DATE: 9:00 a.m., November 8, 2004

PLACE: Florida Housing Finance Corporation, Sixth Floor Conference Room, 227 North Bronough Street, Tallahassee, Florida 32301

Any person requiring special accommodation at this hearing because of a disability or physical impairment should contact David Draper at the address below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David Draper, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

67-45.001 Definitions.

(1) through (11) No change.

(12) "Maximum Acquisition Price" means the maximum purchase price of a Single Family Residence, as prescribed in the IRS Revenue Procedures 2004-24 ~~94-55~~, hereby incorporated by reference. The Acquisition Price Limits are also subject to the FHA/VA/RD limits for the counties. Copies of these documents may be obtained by contacting the Single Family Bonds Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1397.

(13) through (18) No change.

Specific Authority 420.507(12),(23) FS. Law Implemented 420.507(23), 420.5088 FS. History--New 8-7-95, Formerly 91-45.001, Amended 12-26-99, 12-29-01, 12-7-03, _____.

67-45.003 General Program Restrictions.

Loans will be subject to the following restrictions:

(1) through (6) No change.

(7) No more than one-fifth of the funds available in the Trust Fund may be made available by the Board of Directors to provide loan loss insurance reserve funds to facilitate homeownership for any persons or families whose incomes do not exceed 140 ~~120~~ percent of the State median income or local median income, whichever amount is higher. In the event of default, the reserve funds are authorized to be used to offset losses incurred by both the first mortgagee and the second mortgagee.

Specific Authority 420.507(12),(23) FS. Law Implemented 420.5088 FS. History--New 8-7-95, Formerly 91-45.003, Amended 12-26-99, 12-7-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Draper, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Esrone McDaniels, Deputy Director Homeownership Program, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, (850)488-4197

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLE: Definitions
 RULE NO.: 67-51.001

PURPOSE, EFFECT AND SUMMARY: This rule is being amended to add updates and deletions to the existing language in this 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: 420.507 FS.

LAW IMPLEMENTED: 420.509 FS.

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

TIME AND DATE: 9:30 a.m., November 8, 2004

PLACE: Florida Housing Finance Corporation, Sixth Floor Conference Room, 227 North Bronough Street, Tallahassee, Florida 32301

Any person requiring special accommodation at this hearing because of a disability or physical impairment should contact David Draper at the address below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Draper, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

67-51.001 Definitions.

(1) through (9) No change.

(10) "Maximum Acquisition Price" means the maximum purchase price of a Single Family Residence, as prescribed in IRS Revenue Procedures ~~2004-24~~ ~~94-55~~, hereby incorporated by reference. The Acquisition Price limits are also subject to the FHA/VA/RD limits, hereby incorporated by reference. Copies may be obtained by contacting the Single Family Bonds Program Administrator at 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329.

(11) through (15) No change.

Specific Authority 420.507(12),(24) FS. Law Implemented 420.509(11)(c) FS. History--New 12-7-03, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Draper, Single Family Bonds Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Esrone McDaniels, Deputy Director Homeownership Program, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, (850)488-4197

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2004

**Section III
 Notices of Changes, Corrections and
 Withdrawals**

DEPARTMENT OF LAW ENFORCEMENT

Division of Local Law Enforcement Assistance

RULE CHAPTER NO.: 11D-8
 RULE CHAPTER TITLE: Implied Consent and Alcohol Testing Program

RULE NOS.: 11D-8.0036
 RULE TITLES: Approval of Dry Gas Standards Source

11D-8.013 Blood Alcohol Permit – Analyst

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 36, of the September 3, 2004 Florida Administrative Weekly:

11D-8.0036 Approval of Dry Gas Standards Source.

(1) The Department shall approve a source of dry gas standards for use by agencies in the State of Florida. The source approved by the Department shall be an entity that manufactures dry gas standards and meets the following requirements:

(b) Each dry gas standard ~~lot cylinder~~ produced by the source must be certified by the source as to its contents and ~~vapor~~ alcohol vapor concentration.

(c) The source must be capable of producing a minimum of ~~300~~ ~~800~~ cylinders of dry gas standard during a thirty day period at ~~an a-vapor~~ alcohol vapor concentration of 0.08 g/210L.

(2) Dry gas standard cylinders produced by the approved source must not be used beyond ~~in agency or Department inspections within two years of the expiration date of~~ manufacture.

11D-8.013 Blood Alcohol Permit – Analyst.

(3) The department shall approve gas chromatographic analytical procedures and enzymatic analytical procedures based on alcohol dehydrogenase which meet the following requirements:

(d) No change.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rafael E. Madrigal, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael A. Ramage, General Counsel, Florida Department of Law Enforcement
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2004

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-85
 RULE CHAPTER TITLE: Logo Sign Program
 RULE NO.: 14-85.004
 RULE TITLE: Logo Sign Program
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. 33, August 13, 2004, Pages 3282-3285, issue of the Florida Administrative Weekly.

SUMMARY OF CHANGE: Based upon a review by the Joint Administrative Procedures Committee, the references to a late renewal fee are deleted. Specifically, subparagraphs 14-85.004(11)(e)3., (11)(3)4., and paragraph (12)(b), F.A.C., are changed as follows:

1. Subparagraph 14-85.004(11)(e)3., F.A.C., is changed as follows:

3. If the Program Administrator has not received the annual permit fee(s) 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. 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.

~~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.~~

2. Paragraph 14-85.004(12)(b), F.A.C., is changed as follows:

~~(b)3- Denial of Renewal. Renewal will be denied if applicable permit fee(s) are not received by the Program Administrator by 5:00 p.m. on December 1. 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.~~

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 NO.: 33-302.111
 RULE TITLE: Early Termination of Supervision
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. 36, September 3, 2004, issue of the Florida Administrative Weekly:

33-302.111 Early Termination of Supervision.

(1) No change.

(2) In order for an officer to request an early termination of supervision from the sentencing or releasing authority, approval must be obtained from the officer's supervisor, the circuit administrator, the State Attorney's Office, and the victim, if the offense involved a victim applicable. If the State Attorney's office denies the request, or the victim opposes the early termination, the department will not proceed with the early termination recommendation. The officer shall not disclose a victim's objection to the offender.

(3) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 11-26-01, Amended 6-29-03, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-12.006
 RULE TITLE: Approved Form; Incorporation
NOTICE OF CORRECTION

Notice is hereby given that the text of subsection (6) of the above proposed rule, published in Vol. 30, No. 39, September 24, 2004, issue of the Florida Administrative Weekly, page 3993, was inadvertently stricken. The corrected rule amendment is as follows:

61G4-12.006 ~~List of~~ Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public ~~is~~ ~~are~~ hereby adopted and incorporated by reference, and can be obtained from the Board at the following address: Florida Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

(1) Registrations:

(a) ~~Application for Contractor Registration, DBPR/CILB/031 (Rev. 01/01);~~

- ~~(b) Registration Change of Status, DBPR/CILB/017-(Rev. 01/01),~~
- ~~(2) Certifications: Certification Change of Status, DBPR/CILB/025-(Rev. 01/01),~~
- ~~(3) Examinations:-~~
 - ~~(a) Applicant Information Booklet Construction Examinations, DBPR/CILB/007-(Rev. 01/01),~~
 - ~~(b) Application for Certification Examination, DBPR/CILB/001 (Rev. 01/01),~~
 - ~~(c) Application for Retake Certification Examination, DBPR/CILB/002-(Rev. 7/00),~~
- ~~(4) Continuing Education:~~
 - ~~(a) Sponsor/Course Approval Application, DBPR/CILB/05-7/2/98,~~
 - ~~(b) CILB Continuing Education for Contractors Attendance Roster, DBPR/CILB/055 (Rev. 1-95),~~
 - ~~(c) Instructors' Qualifications Form, DBPR/CILB/058/1-94,~~
 - ~~(d) CILB Disciplinary Hearings Attendance Sheet, DBPR/CILB/056/1-94,~~
- ~~(5) Licensing:-~~
 - ~~(a) Application for Qualified Business Organization (QB) License Number, DBPR/CILB/029/-(Rev. 01/01),~~
 - ~~(b) Qualified Business Organization (QB) Change of Status Application, DBPR/CILB/030/-(Rev. 01/01),~~
 - ~~(c) Financially Responsible Officer (FRO) Application, DBPR/CILB/021/-(Rev. 01/01),~~
 - ~~(d) Application to Qualify an Additional Business Organization, DBPR/CILB/020 (Rev. 01/01),~~
 - ~~(e) Limited Non-Renewable Registration Requirements and Application, DBPR/CILB/033-(Rev. 01/01)~~
- ~~(6) Construction Industries Recovery Fund: Construction Industries Recovery Fund Claim Form, DBPR/CILB/022-(Rev. 01/01).~~
- ~~(7) Application for Certification of Registered Contractors, DBPR/CILB/032/-(Rev. 01/01).~~

Specific Authority 489.108 FS. Law Implemented 120.52(15), 489.108, ~~489.143, 489.115, 489.118, 489.119, 489.1195~~ FS. History--New 1-6-80, Formerly 21E-12.06, Amended 1-1-89, Formerly 21E-12.006, Amended 1-4-94, 2-24-94, 11-23-95, 2-6-96, 7-22-96, 11-25-97, 8-2-98, 2-24-00, 3-26-01,_____.

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 IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

Waiver of Charges, Fees and/or Penalties 53ER04-55
for Retailers – Hurricane Jeanne

SUMMARY OF THE RULE: The emergency rule sets forth the provisions for the waiver of certain retailer charges, fees and/or penalties set forth in Florida Lottery rules in response to damage and loss sustained by Florida Lottery retailers from Hurricane Jeanne.

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:

53ER04-55 Waiver of Charges, Fees and/or Penalties for Retailers – Hurricane Jeanne.

(1) Notwithstanding Florida Lottery Rules 53ER01-3 Retailer Application and Fee Schedule, 53ER01-77 Electronic Funds Transfer Delinquencies, 53ER02-5 On-line Retailer Responsibilities, and 53ER02-41 Lost, Stolen or Damaged Instant Lottery Tickets, F.A.C., this emergency rule sets forth provisions for the waiver of certain retailer charges, fees and/or penalties set forth in the above-referenced rules in response to damage and loss sustained by Florida Lottery retailers from Hurricane Jeanne.

(2) Data Line Weekly Service Charge.

(a) The weekly service charge of \$10.00 set forth in Rule 53ER02-5, F.A.C., shall be waived prospectively for on-line retailers meeting the following criteria:

1. The retailer's business is located in one of the following forty-seven (47) counties of Florida that have been declared disaster areas as of October 1, 2004:

- Alachua, Baker, Bradford, Brevard, Charlotte, Citrus, Clay, Columbia, DeSoto, Dixie, Duval, Flagler, Gilchrist, Glades, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Jefferson, Lafayette, Lake, Levy, Madison, Manatee, Marion, Martin, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Sarasota, Seminole, St. Johns, St. Lucie, Sumter, Suwannee, Taylor, Union and Volusia; or

2. The retailer's business is located in a county that is declared a disaster area on or after October 1, 2004; and

3. The retailer has the type of on-line terminal for which a \$10.00 weekly service charge is assessed; and

4. The retailer's sales status is "non-selling" as determined by an on-line retailer sales status report generated through the Lottery's gaming system each week on Saturday.

(b) The service charge waiver set forth in this subsection shall remain in effect until such time as the retailer regains its selling status, or this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence, whichever occurs first, except as provided in paragraph (2)(c) below.

(c) The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer's non-selling status is for reasons not attributable to Hurricane Jeanne, in which case the weekly service charge will be assessed in the regular manner.

(3) Non-Sufficient Funds Penalty.

(a) Except as provided in paragraph (3)(d) below, a penalty for Non-Sufficient Funds as set forth in Rule 53ER01-77, F.A.C., shall be waived provided the retailer (instant-only or on-line) meets the criteria set forth in subparagraphs (2)(a)1. or 2., or as provided in paragraph (3)(b) below.

(b) The Florida Lottery reserves the right to make a case-by-case determination for retailers requesting a waiver of the Non-Sufficient Funds penalty who are not located in the disaster area. (Example: the retailer is able to conduct business activities but is unable to make a bank deposit due to complication associated with the bank's location in the disaster area.)

(c) Except as provided in paragraph (3)(d) below, the penalty waiver set forth in this subsection shall remain in effect until such time as this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

(d) The Florida Lottery reserves the right to make a case-by-case determination as to whether a Non-Sufficient Funds penalty assessed to a retailer shall be waived. (Example: the retailer is located within the disaster area but its Non-Sufficient Funds occurrence is for reasons not attributable to Hurricane Jeanne.)

(4) Lost, Stolen or Damaged Instant Lottery Ticket Service Fees.

(a) Inactive Books.

1. The service fee for books of instant tickets reported as lost, stolen, or damaged as set forth in Rule 53ER02-41, F.A.C., that were in received status as of September 24, 2004 shall be waived provided the retailer (instant-only or on-line) meets the criteria set forth in subparagraphs (2)(a)1. or 2., except as provided in subparagraph (4)(a)2. below.

2. The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer's reporting of inactive lost, stolen, or damaged books is for reasons not attributable to Hurricane Jeanne, in which case the service fee will be assessed in the regular manner.

(b) Active Books. Charges for books of instant tickets placed in an active status on or before September 24, 2004 and subsequently reported as lost, stolen, or damaged will be determined by the Lottery on a case-by-case basis for retailers meeting the criteria set forth in subparagraphs (2)(a)1. or 2.

(c) The fee waiver set forth in this subsection shall remain in effect until such time as this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

(5) Retailer Application Fee- Change of Location.

(a) The \$10.00 fee for retailers that apply to change a location as set forth in Rule 53ER01-3, F.A.C., shall be waived provided the retailer (instant-only or on-line) meets the criteria set forth in subparagraph (2)(a)1. or 2., except as provided in paragraph (5)(b) below.

(b) The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer's change in location is for reasons not attributable to Hurricane Jeanne, in which case the fee will be assessed in the regular manner.

(c) The fee waiver set forth in this subsection shall remain in effect until such time this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

Specific Authority 24.105(9)(j), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(j), 24.112(1) FS. History--New 10-1-04.

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

EFFECTIVE DATE: October 1, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: Business Partner Program

RULE NO.: 53ER04-56

SUMMARY OF THE RULE: This emergency rule sets forth the provisions for the Business Partner Program in which Florida businesses may purchase books of instant tickets directly from the Florida Lottery at a discounted price.

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:

53ER04-56 Business Partner Program.

(1) In accordance with the provisions set forth in this rule, Florida businesses may purchase books of instant lottery tickets directly from the Florida Lottery at a discounted price. For purposes of this rule, the term "Florida businesses" shall

include, but not be limited to, the following: for-profit businesses; non-profit, charitable and civic organizations; trade or other associations. Businesses that participate in the program shall be known as "Florida Lottery business partners."

(2) To be eligible to receive a discounted price, the business must:

(a) Not be a current Florida Lottery retailer;

(b) Be physically located in the state of Florida; and

(c) Use the tickets only for incentive programs or other stated promotional purposes subject to approval by the Lottery. Upon placing an order with the Lottery, the business partner shall describe the promotional purposes for which the ordered tickets will be used on Order Form DOL-466, Effective 09/04, for review and approval or disapproval by the Lottery. Order Form DOL-466 is hereby incorporated by reference and may be obtained from the Florida Lottery, Business Development Unit, 250 Marriott Drive, Tallahassee, Florida 32399-4047.

(3) The percentage discount applied to the retail value of a book of instant lottery tickets shall be based on the total retail value of full books purchased by the business partner as follows:

<u>Total Retail Value of Books Purchased by Business Partner In One Calendar Year</u>	<u>Percentage Discount Applied to the Retail Value of the Book of Instant Lottery Tickets</u>
<u>\$300-\$1,500</u>	<u>3%</u>
<u>\$1,501 to \$3,000</u>	<u>4%</u>
<u>\$3,001 or more</u>	<u>5%</u>

In January of each year, the Florida Lottery will begin tracking the total retail value of books of instant lottery tickets purchased by a business partner during the calendar year. As new orders are placed by the business partner, the Florida Lottery will apply the applicable percentage discount shown in the table above to the cumulative retail value of books purchased.

(4) Upon placing its first order with the Lottery, each business partner shall execute a Business Partner Program Participation Form DOL-465, Effective 09/04, acknowledging its understanding of the terms of the Business Partner Program and designating persons authorized to purchase Florida Lottery products. Business Partner Program Participation Form DOL-465 is hereby incorporated by reference and may be obtained from the Florida Lottery, Business Development Unit, 250 Marriott Drive, Tallahassee, Florida 32399-4047.

(5) Lottery tickets sold by the Lottery to a business partner may not be resold.

(6) Full payment is due to the Lottery upon delivery of lottery tickets to the business partner. Payment may be made by cashier's check or business check for tickets delivered to the

business partner by the Lottery. Payment may be made by cash if ordered lottery tickets are picked up by the business partner at a Lottery office.

(7) The Lottery assumes no responsibility for tickets that are lost, stolen or damaged after purchase.

(8) Business partners are prohibited from distributing Florida Lottery tickets outside the state of Florida.

(9) Business partners shall comply with all provisions of Chapter 24, F.S., as well as rules and regulations heretofore or hereafter promulgated by the Lottery.

Specific Authority 24.105(9)(a),(h), 24.109(1) FS. Law Implemented 24.105(9)(a),(h) FS. History--New 10-1-04.

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

EFFECTIVE DATE: October 1, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 561, IN THE MONEY

RULE NO.: 53ER04-57

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 561, "IN THE MONEY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER04-57 Instant Game Numbers 561, IN THE MONEY.

(1) Name of Game. Instant Game Number 561, "IN THE MONEY."

(2) Price. IN THE MONEY lottery tickets sell for \$5.00 per ticket.

(3) IN THE MONEY lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning IN THE MONEY lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any IN THE MONEY lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The "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	ELEVEN	TWELVE
13	14	15	16	17	18
THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN
19	20	21	22	23	24
NINETEEN	TWENTY	THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR
25	26	27	28	29	
THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	



WIN \$50

(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	ELEVEN	TWELVE
13	14	15	16	17	18
THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN
19	20	21	22	23	24
NINETEEN	TWENTY	THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR
25	26	27	28	29	
THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	

(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
THIRTYFIVE	FIFTY	SEVENTYFIVE	ONE HUNDRED	TWO HUNDRED	FIVE HUNDRED
\$1,000		\$10,000		\$100,000	
ONE THOUSAND		TEN THOUSAND		ONE HUNDRED THOUSAND	

(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 561 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 34 POOLS OF 120,000 TICKETS PER POOL
\$1 x 5	\$5	30.00	136,000
(\$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	60.00	68,000
\$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 (\$S)	\$50	105.26	38,760
\$5 x 15	\$75	20,000.00	204
\$5 + (\$10 x 7)	\$75	20,000.00	204
(\$5 x 5) + \$50 (\$S)	\$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	1,500.00	2,720
(\$5 x 10) + (\$10 x 5)	\$100	600.00	6,800
\$25 x 4	\$100	1,333.33	3,060
(\$25 x 2) + \$50 (\$S)	\$100	600.00	6,800
\$100	\$100	1,200.00	3,400
\$50 x 10	\$500	136,000.00	30
(\$25 x 10) + (\$50 x 5)	\$500	81,600.00	50
\$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	340,000.00	12
\$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

(10) The estimated overall odds of winning some prize in Instant Game Number 561 are 1 in 3.77. 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 561, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing an IN THE MONEY lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for IN THE MONEY lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 10-1-04.

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

EFFECTIVE DATE: October 1, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 562, RUBY RED 7's RULE NO.: 53ER04-58

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 562, "RUBY RED 7's," 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:

53ER04-58 Instant Game Number 562, RUBY RED 7's.

(1) Name of Game. Instant Game Number 562, "RUBY RED 7's."

(2) Price. RUBY RED 7's lottery tickets sell for \$2.00 per ticket.

(3) RUBY RED 7's 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 RUBY RED 7's lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any RUBY RED 7's 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 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX
	8 EIGHT	9 NINE	10 TEN	11 ELEVN	12 TWELV
13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	18 EGHTN	19 NINTN
20 TWENTY					
				7 BKSEV	

(5) The play symbols and play symbol captions imaged in red ink are as follows:

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

(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	\$15,000
THY FIVE	FIFTY	ONE HUN	FIVE HUN	ONE THO	FTN THO

(7) Determination of Prizewinners. A ticket having a black "7" symbol in the play area shall entitle the claimant to the corresponding prize shown for that symbol. A ticket having a red "7" symbol in the play area shall entitle the claimant to double the corresponding prize shown for that symbol. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$1,000, and \$15,000. 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 RUBY RED 7's 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 RUBY RED 7's lottery ticket.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 562 are as follows:

GAME PLAY TICKET	WIN \$2 TICKET	ODDS OF 1 IN	NUMBER OF WINNERS IN 57 POOLS OF 180,000 TICKETS
			PER POOL
\$2	\$2	25.00	410,400
\$2 x 2	\$4	30.00	342,000
\$1 + (\$2 x 2)	\$5	37.50	273,600
\$5	\$5	37.50	273,600
\$1 + (\$2 x 2) + \$5	\$10	150.00	68,400
\$5 (RED "7")	\$10	50.00	205,200
\$10	\$10	150.00	68,400
\$5 x 5	\$25	150.00	68,400
(\$5 x 2) + (\$10 x 4)	\$50	1,200.00	8,550
\$25 (RED "7")	\$50	600.00	17,100
\$50	\$50	1,200.00	8,550
\$10 x 10	\$100	9,000.00	1,140
\$50 (RED "7")	\$100	9,000.00	1,140
\$100	\$100	9,000.00	1,140
\$20 x 10	\$200	342,000.00	30
\$500 (RED "7")	\$1,000	732,857.14	14
\$1,000	\$1,000	1,710,000.00	6
\$15,000	\$15,000	2,565,000.00	4

(9) The estimated overall odds of winning some prize in Instant Game Number 562 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 562, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a RUBY RED 7's lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(12) Payment of prizes for RUBY RED 7's lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 10-1-04.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: October 1, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 563, PAYDAY
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 563, "PAYDAY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule

RULE NO.: 53ER04-59

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:

53ER04-59 Instant Game Numbers 563, PAYDAY.

(1) Name of Game. Instant Game Number 563, "PAYDAY."

(2) Price. PAYDAY lottery tickets sell for \$1.00 per ticket.

(3) PAYDAY lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning PAYDAY lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any PAYDAY lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

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



WIN \$25

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

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

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

TICKET	\$1.00	\$2.00	\$4.00	\$5.00	\$10.00
TICKET	ONE	TWO	FOUR	FIVE	TEN
\$20.00	\$25.00	\$50.00	\$100	\$1,000	\$5,000
THENTY	THY FIVE	FIFTY	ONE HUN	ONE THO	FIV THO

(7) The legends are as follows:

YOUR#’S PAYDAY NUMBERS PRIZE

(8) Determination of Prizewinners.

(a) A ticket having a number in the “YOUR NUMBERS” play area that matches either number in the “PAYDAY NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to five sets of matching numbers. The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$1,000, and \$5,000. A person who submits by mail a PAYDAY lottery ticket that entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.



(b) A ticket having a “WIN \$25” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$25.00.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 563 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
TICKET	\$1 TICKET	1 IN	WINNERS IN
			84 POOLS OF
			180,000 TICKETS
			PER POOL
\$1	\$1	10.00	1,512,000
\$2	\$2	15.00	1,008,000
\$4	\$4	25.00	604,800
\$1 + (\$2 x 2)	\$4	100.00	151,200
\$1 x 5	\$5	150.00	100,800
\$5	\$5	50.00	302,400
\$2 x 5	\$5	150.00	100,800
\$10	\$10	300.00	50,400
\$5 + (\$10 x 2)	\$10	300.00	50,400
\$5 x 5	\$25	720.00	21,000
\$25 (MONEYBAG)	\$25	900.00	16,800
\$10 x 5	\$25	1,200.00	12,600
\$25 x 2	\$50	12,000.00	1,260
\$50	\$50	15,000.00	1,008
\$20 x 5	\$50	6,923.08	2,184
(\$25 x 2) + \$50	\$100	100,800.00	150
\$100	\$100	302,400.00	50
\$1,000	\$100	216,000.00	70
\$1,000 x 5	\$1,000	945,000.00	16
\$5,000	\$5,000	7,560,000.00	2
	\$5,000	7,560,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 563 are 1 in 3.84. 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 563, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a PAYDAY lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for PAYDAY lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History--New 10-1-04.

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

EFFECTIVE DATE: October 1, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: MEGA M\$NEY® RULE NO.: 53ER04-60

SUMMARY OF THE RULE: This emergency rule sets forth the provisions for the conduct of MEGA M\$NEY® and replaces Emergency Rule 53ER04-46, 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:

53ER04-60 MEGA M\$NEY®.

(1) How to Play MEGA M\$NEY® (referred to herein as MEGA MONEY).

(a) MEGA MONEY is an on-line game in which players select four numbers from a field of one through forty-four and one MEGABALL® number from a separate field of one through twenty-two.

(b) Players may use a MEGA MONEY play slip to make their selections. There are five panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five numbers (four in the upper play area and one in the lower play area) from each panel played, or may mark the “Quick Pick” box for the terminal to randomly select any or all of the five numbers from either or both play areas. For each panel played the first four of the five numbers appearing in a single horizontal row on a MEGA MONEY ticket shall be the

numbers selected from the upper play area of the play slip and the last number shall be the MEGABALL number selected from lower play area of the play slip. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by an on-line retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(c) Players may play up to thirty consecutive MEGA MONEY drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive advance drawings selected shall apply to each panel played.

(2) MEGA MONEY Drawings.

(a) MEGA MONEY drawings shall be conducted two times per week, on Tuesday and Friday.

(b) MEGA MONEY drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm ("Accountant") who shall certify to the integrity, security, and fairness of each drawing.

(c) The equipment (one ball set and one drawing machine) used in a MEGA MONEY drawing shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing.

(d) A ball set contains sixty-six balls comprised of one subset of forty-four balls ("subset 1") and one subset of twenty-two balls ("subset 2"). The balls in subset 1 are numbered one through forty-four. The balls in subset 2 are numbered one through twenty-two. A MEGA MONEY drawing machine contains two separate mixing chambers and two ball display devices.

(e) Once a set of balls has been selected and inspected, the selected MEGA MONEY drawing machine shall be loaded by the Draw Manager by placing each subset of balls into its mixing chamber. The two subsets of balls shall be mixed by the action of an air blower.

(f) Four balls from subset 1 and one MEGABALL from subset 2 are drawn by vacuum action into their respective display device. The numbers shown on the four balls and the number shown on the MEGABALL, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(g) In the event a malfunction in the drawing procedures occurs or the drawing equipment malfunctions, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in paragraph (2)(b). In using such substitute procedures, the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(h) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) Determination of Prize Winners.

(a) Wherever used, the terms "jackpot prize" and "top prize" both refer to the highest prize level in the MEGA MONEY game.

(b) In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E) must match the official winning MEGA MONEY numbers for the draw date for which the ticket was purchased, in one of the following combinations:

1. Jackpot Prize: Four numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

2. Second Prize: Four numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

3. Third Prize: Three numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

4. Fourth Prize: Three numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

5. Fifth Prize: Two numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

6. Sixth Prize: One number selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

7. Seventh Prize: Two numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

8. Eighth Prize: No numbers selected from the first subset of balls and the MEGABALL number selected from the second subset of balls.

(4) MEGA MONEY Odds of Winning.

(a) The odds of winning the prizes described in subsection (3) are as follows:

1. Jackpot Prize – 1:2,986,522.00

2. Second Prize – 1:142,215.33

3. Third Prize – 1:18,665.76

4. Fourth Prize – 1:888.85

5. Fifth Prize – 1:638.15

6. Sixth Prize – 1:75.57

7. Seventh Prize – 1:30.39

8. Eighth Prize – 1:32.68

(b) The overall odds of winning a prize in a MEGA MONEY drawing are 1:12.58.

(5) MEGA MONEY Prize Divisions.

(a) MEGA MONEY is a pari-mutuel game. For each draw, fifty percent of the net sales after cancels and promotional plays shall be allocated as the winning pool for the payment of the jackpot prize, second prize, third prize, fourth prize, fifth prize, sixth prize and seventh prize. Free MEGA MONEY tickets issued as an eighth prize shall not be included in gross revenue calculations.

(b) Jackpot Prize.

The jackpot prize pool shall consist of 54.32 percent of the winning pool plus any money carried forward from the prior draw until the jackpot prize pool reaches the estimated cash equivalent of the deferred payment value of \$2 million paid over twenty (20) years, at which point the jackpot prize pool will be capped. When this threshold is met, the jackpot prize pool will comprise zero percent of the winning pool in excess of the cap, and any money in excess of the cap shall roll down and be distributed among the second through the seventh prize levels according to the percentage each prize level comprises of the adjusted prize pool. The total winning prize pool, less the amount required to achieve the cap (not to exceed 54.32 percent of the total winning prize pool), shall comprise the adjusted prize pool.

1. If there is a jackpot prize winner in a drawing and the jackpot prize pool is not capped, the prize money allocated to the jackpot prize pool shall be divided equally among the jackpot prize winners for that drawing, subject to paragraph (6)(b) below.

2. If there is a jackpot prize winner in a drawing in which the jackpot prize pool is capped, the jackpot prize pool shall be divided equally among the jackpot prize winners for that drawing, subject to paragraph (6)(c) below.

3. If there is not a jackpot prize winner in a drawing and the jackpot prize pool is not capped, the jackpot prize pool shall be carried over and added to the jackpot prize pool of the next MEGA MONEY drawing.

4. If there is not a jackpot prize winner in a drawing in which the jackpot prize pool is capped, the capped amount shall be carried over to the next MEGA MONEY drawing and the money in excess of the cap shall be returned to an adjusted prize pool and then be distributed among the second through the seventh prize levels according to the adjusted percentage each prize level comprises of that winning prize pool.

(c) Second Prize.

When the jackpot prize pool is not capped, the second prize pool shall consist of 1.72 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the second prize pool shall consist of 3.75 percent of the adjusted prize pool for the drawing. The second prize pool shall be divided equally among the second prize winners for that drawing.

(d) Third prize.

when the jackpot prize pool is not capped, the third prize pool shall consist of 3.77 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the third prize shall consist of 8.20 percent of the adjusted prize pool for the drawing. The third prize pool shall be divided equally among the third prize winners for that drawing.

(e) Fourth Prize.

When the jackpot prize pool is not capped, the fourth prize pool shall consist of 11.25 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the fourth prize pool shall consist of 24.50 percent of the adjusted prize pool for the drawing. The fourth prize pool shall be divided equally among the fourth prize winners for that drawing.

(f) Fifth Prize.

When the jackpot prize pool is not capped, the fifth prize pool shall consist of 7.84 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the fifth prize pool shall consist of 17.25 percent of the adjusted prize pool for the drawing. The fifth prize pool shall be divided equally among the fifth prize winners for that drawing.

(g) Sixth Prize.

When the jackpot prize pool is not capped, the sixth prize pool shall consist of 7.94 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the sixth prize pool shall consist of 18 percent of the adjusted prize pool for the drawing. The sixth prize pool shall be divided equally among the sixth prize winners for that drawing.

(h) Seventh Prize.

When the jackpot prize pool is not capped, the seventh prize pool shall consist of 13.16 percent of the winning pool for the drawing. When the jackpot prize pool is capped, the seventh prize pool shall consist of 28.30 percent of the adjusted prize pool for the drawing. The seventh prize pool shall be divided equally among the seventh prize winners for that drawing.

(i) Eighth Prize.

1. An eighth prize shall consist of one free MEGA MONEY quick pick ticket (\$1.00 value), except as provided in subparagraph (5)(i) 2. below. An eighth prize shall consist of one free MEGA MONEY quick pick ticket regardless of whether the MEGA MONEY jackpot prize pool is capped. Eighth prizes shall not utilize any portion of the winning prize pool or adjusted prize pool for the drawing.

2. A player who submits by mail a MEGA MONEY lottery ticket which entitles the claimant to a free MEGA MONEY quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(j) If there is not a winner within one of the second through seventh prize categories for a drawing, the prize pool for that category shall be distributed for that drawing in accordance with the following table:

<u>PRIZE POOL CATEGORY FOR WHICH THERE IS NO WINNER</u>	<u>PRIZE POOL CATEGORY TO WHICH THE NONWINNING PRIZE POOL CATEGORY IS ADDED</u>
<u>Second Prize – 4 of 4</u>	<u>3 of 4 + MEGABALL</u>
<u>Third Prize – 3 of 4 + MEGABALL</u>	<u>3 of 4</u>
<u>Fourth Prize – 3 of 4</u>	<u>2 of 4 + MEGABALL</u>
<u>Fifth Prize – 2 of 4 + MEGABALL</u>	<u>2 of 4</u>
<u>Sixth Prize – 1 of 4 + MEGABALL</u>	<u>To fund future prizes in Lottery games or for special Lottery prize promotions</u>
<u>Seventh Prize – 2 of 4</u>	<u>1 of 4 + MEGABALL</u>

(k) Except for the jackpot prize, all prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the sixth and seventh prizes shall be no less than \$2.00. All rounding differences will be used to fund future prizes in Lottery games or for special Lottery prize promotions.

(6) MEGA MONEY Estimated Jackpot.

(a) For each drawing the Lottery will announce the estimated deferred payment value of the MEGA MONEY jackpot that can be won by a single player, based upon the estimated cash value of the jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers. For each MEGA MONEY drawing, the deferred payment value of the MEGA MONEY jackpot prize that can be won by a single player shall be guaranteed at a minimum of \$500,000 paid over twenty (20) years except as set forth in subparagraph (7)(d)3. below.

(b) If the cash available in the jackpot prize pool is insufficient at the time the ticket is submitted for payment to yield \$500,000 paid over the twenty (20) year deferred payment period, the Lottery shall add prize money rendered unclaimable by Section 24.115, Florida Statutes, to the jackpot prize pool to render it sufficient.

(c) In the event the cash available in the jackpot prize pool is insufficient at the time the ticket is submitted for payment to yield \$2 million paid over twenty (20) years on an announced jackpot prize of \$2 million, the Lottery shall add prize money rendered unclaimable by Section 24.115, Florida Statutes, to the jackpot prize pool to render it sufficient.

(7) MEGA MONEY Payment Options.

(a) Players can choose one of two payment options for receiving their portion of the MEGA MONEY jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot prize winners have sixty days after the winning draw date to choose between the two payment options. Once the jackpot prize winner signs the Winner Claim Form and exercises the winner’s chosen option, the election of that option shall be final. Winner Claim Form DOL-173-2, Revised 10/03, and Spanish Winner Claim Form DOL 173-S, Revised 10/03, are incorporated herein by reference and may be

obtained from any Lottery retailer, Lottery office, or from the Lottery’s web site at www.flalottery.com. In order to select the Cash Option, the jackpot prize winner must submit his or her ticket for payment within sixty days after the winning draw date. If the jackpot prize winner does not file a claim electing the Cash Option within sixty days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (7)(e) below.

(c) A jackpot prize winner who chooses the Cash Option for payment will receive one lump sum cash payment of his or her portion of the amount in the jackpot prize pool that is available immediately for investment, determined at the time the ticket is submitted for payment, less applicable withholding taxes, except as follows:

1. The minimum amount of the cash option payment to a single winner will be the amount required at the time the ticket is submitted for payment to purchase securities to fund \$500,000 paid over twenty (20) years, less applicable withholding taxes. The minimum amount of the cash option payment to multiple winners will be their pro rata share of the amount required at the time the ticket is submitted for payment to purchase securities to fund \$500,000 paid over twenty (20) years, less applicable withholding taxes.

2. The minimum amount of the cash option payment to a single winner in a MEGA MONEY drawing in which the jackpot prize was announced at \$2 million will be the amount required at the time the ticket is submitted for payment to purchase securities to fund \$2 million paid over twenty (20) years, less applicable withholding taxes. The minimum amount of the cash option payment to multiple winners will be their pro rata share of the amount required at the time the ticket is submitted for payment to purchase securities to fund \$2 million paid over twenty (20) years, less applicable withholding taxes.

(d) If a jackpot prize winner elects the Annual Payment option, his or her portion of the amount in the jackpot prize pool will be invested in U.S. Treasury securities to provide an income stream to the winner of twenty (20) annual installments, each less applicable withholding taxes, except as follows.

1. The minimum amount payable to a single winner over twenty (20) years will be \$500,000, less applicable withholding taxes, except as set forth in subparagraph (7)(d)3. below. The minimum amount payable to multiple winners over twenty (20) years will be their pro rata share of \$500,000, less applicable withholding taxes, except as set forth in subparagraph (7)(d)3. below.

2. If a jackpot prize winner elects the Annual Payment option in a MEGA MONEY drawing in which the jackpot prize is announced at \$2 million, his or her portion of the jackpot prize pool will be invested in U.S. Treasury securities to provide an income stream to the winner of twenty (20) annual installments, each less applicable withholding taxes, subject to paragraph (6)(c) above and except as set forth in

subparagraph (7)(d)3. below. Available cash in the jackpot prize pool that cannot be invested in increments of \$1,000 in twenty (20) installments is deemed "excess cash" and will be paid to the winner in the first payment. See Example 1 below.

3. If the prize amount per winner in a MEGA MONEY drawing in which the jackpot prize is guaranteed at \$500,000 or announced at \$2 million cannot be paid in increments of \$1,000 in twenty (20) installments, the winner's share of the prize pool will be invested in U.S. Treasury securities that will yield the maximum amount possible over twenty (20) years as can be reached in increments of \$1,000. If the amount the investment will yield is less than the guaranteed prize amount, the present value of the difference between the amount the investment will yield and the winner's guaranteed prize amount over twenty (20) years will be paid to the winner in the first payment. See Example 2 below. If the amount the investment will yield is greater than the guaranteed prize amount, the excess cash in the jackpot prize pool that cannot be invested in increments of \$1,000 in twenty (20) installments will be paid to the winner in the first payment.

See Example 3 below.

The following examples illustrate such payments. All payment amounts are less tax withholding.

Example 1:

<u>Announced Jackpot prize</u>	<u>\$2,000,000</u>
<u>Prize Pool available for investment</u>	<u>\$1,315,769</u>
<u>Number of winners</u>	<u>1</u>
<u>Investment Yield (Actual Jackpot)</u>	<u>\$2,015,000</u>
<u>Per year payment (\$2,015,000 ÷ 20)</u>	<u>\$100,750</u>
<u>Cash required to purchase 20 payments of \$100,000</u>	<u>\$1,307,769</u>
<u>Excess Cash (\$1,315,769 - \$1,307,769)</u>	<u>\$8,000</u>
<u>First Payment (\$100,000 + \$8,000)</u>	<u>\$108,000</u>
<u>Next 19 annual payments</u>	<u>\$100,000</u>

Example 2:

<u>Guaranteed Jackpot prize</u>	<u>\$500,000</u>
<u>Prize Pool available for investment</u>	<u>\$335,000</u>
<u>Number of winners</u>	<u>2</u>
<u>Guaranteed prize per winner (\$500,000 ÷ 2)</u>	<u>\$250,000</u>
<u>Pro rata share of Prize Pool (\$335,000 ÷ 2)</u>	<u>\$167,500</u>
<u>Maximum investment yield in increments of \$1,000</u>	<u>\$240,000</u>
<u>First payment (\$240,000 ÷ 2)</u>	<u>\$12,000 + Present Value of \$10,000 (\$250,000 - \$240,000) annuitized over 20 years</u>
<u>Next 19 annual payments</u>	<u>\$12,000</u>

Example 3:

<u>Announced Jackpot prize</u>	<u>\$2,000,000</u>
<u>Prize Pool available for investment</u>	<u>\$1,315,769</u>
<u>Number of winners</u>	<u>3</u>
<u>Prize per winner (\$2,000,000 ÷ 3)</u>	<u>\$666,666.67</u>
<u>Pro rata share of Prize Pool (\$1,315,769 ÷ 3)</u>	<u>\$438,589.67</u>
<u>Investment Yield (Actual Jackpot)</u>	<u>\$2,020,000</u>
<u>Pro rata shar of Actual Jackpot (\$2,020,000 ÷ 3)</u>	<u>\$673,333.33</u>
<u>Per year payment (\$673,333.33 ÷ 20)</u>	<u>\$33,666.67</u>
<u>Cash required to purchase 20 payments of \$33,000</u>	<u>\$429,902.80</u>
<u>Excess Cash (\$438,589.67 - \$429,902.80)</u>	<u>\$8,686.87</u>
<u>First payment (\$33,000 + \$8,686.87)</u>	<u>\$41,686.87</u>
<u>Next 19 annual payments</u>	<u>\$33,000</u>

4. The provisions of subparagraph (7)(d)3. shall not be construed to prohibit the Lottery from investing collectively, in a single U.S. Treasury security, the prize pool shares of multiple winners of the same drawing who all elect the Annual Payment option, and distributing the prize winnings on a pro rata basis in increments other than \$1,000.

(e) If the cash available in the jackpot pool, including any required supplement as provided in paragraphs (6)(b) and (c) above, is determined on the business day following the drawing to be insufficient to yield at least \$100,000 over twenty (20) years for each winning ticket, the Lottery shall pay the jackpot winner or winners in a single cash payment of their share of the amount in the jackpot pool available immediately for investment determined on the business day following the drawing, less applicable withholding taxes.

(f) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(g) Any interest or earnings accrued on a MEGA MONEY jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(8) MEGA MONEY Rules and Prohibitions.

(a) By purchasing a MEGA MONEY ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) MEGA MONEY prize payments 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.

(c) Tickets shall not be purchased by or sold to persons under the age of eighteen.

(d) Subject to a retailer's hours of operation and on-line system availability, MEGA MONEY lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, Eastern Time (ET).

(e) The scheduled time for the Tuesday and Friday MEGA MONEY drawings is approximately 11:00 p.m., ET. Ticket sales for a specific MEGA MONEY drawing will close approximately twenty minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next MEGA MONEY draw date.

(f) Retailer cancellations of MEGA MONEY tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no MEGA MONEY ticket can be cancelled after game close for the related drawing and no eighth prize (free MEGA MONEY quick pick ticket) can be cancelled at any time. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related MEGA MONEY close of game.

(g) It is the responsibility of the player to determine the accuracy of selected panels of numbers and date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the "quick pick" method of number selection.

(9) This emergency rule replaces Emergency Rule 53ER04-46, F.A.C., MEGA M\$NEY®, F.A.C.

Specific Authority 24.105(2), 24.105(9)(a),(b),(c),(d),(e),(f),(g),(h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a),(b),(c),(d),(e),(f),(g),(h), 24.115(1), 24.116(1), 24.117(2) FS. History—New 10-1-04. Replaces 53ER04-46, F.A.C.

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

EFFECTIVE DATE: October 1, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: Waiver of Charges, Fees and/or Penalties

RULE NO.: 53ER04-61

For Retailers – Hurricane Charley
 SUMMARY OF THE RULE: The emergency rule replaces Emergency Rule 53ER04-47 and sets forth the provisions for the waiver of certain retailer charges, fees and/or penalties set forth in Florida Lottery rules in response to damage and loss sustained by Florida Lottery retailers from Hurricane Charley.

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:

53ER04-61 Waiver of Charges, Fees and/or Penalties for Retailers – Hurricane Charley.

(1) Notwithstanding Florida Lottery Rules 53ER01-3 Retailer Application and Fee Schedule, 53ER01-77 Electronic Funds Transfer Delinquencies, 53ER02-5 On-line Retailer Responsibilities, and 53ER02-41 Lost, Stolen or Damaged Instant Lottery Tickets, F.A.C., this emergency rule sets forth provisions for the waiver of certain retailer charges, fees and/or penalties set forth in the above-referenced rules in response to damage and loss sustained by Florida Lottery retailers from Hurricane Charley.

(2) Data Line Weekly Service Charge.

(a) The weekly service charge of \$10.00 set forth in Rule 53ER02-5, F.A.C., shall be waived prospectively for on-line retailers meeting the following criteria:

1. The retailer's business is located in one of the following twenty-six (26) counties of Florida that were declared disaster areas as of September 29, 2004:

Brevard, Charlotte, Collier, DeSoto, Dixie, Duval, Flagler, Glades, Hardee, Hendry, Highlands, Indian River, Lake, Lee, Levy, Manatee, Monroe, Okeechobee, Orange, Osceola, Pasco, Polk, St. Johns, Sarasota, Seminole and Volusia; or

2. The retailer's business is located in a county that is declared a disaster area subsequent to September 29, 2004; and

3. The retailer has the type of on-line terminal for which a \$10.00 weekly service charge is assessed; and

4. The retailer's sales status is "non-selling" as determined by an on-line retailer sales status report generated through the Lottery's gaming system each week on Saturday.

(b) The service charge waiver set forth in this subsection shall remain in effect until such time as the retailer regains its selling status, or this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence, whichever occurs first, except as provided in paragraph (2)(c) below.

(c) The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer's non-selling status is for reasons not attributable to Hurricane Charley, in which case the weekly service charge will be assessed in the regular manner.

(3) Non-Sufficient Funds Penalty.

(a) Except as provided in paragraph (3)(d) below, a penalty for Non-Sufficient Funds as set forth in Rule 53ER01-77, F.A.C., shall be waived provided the retailer

(instant-only or on-line) meets the criteria set forth in subparagraphs (2)(a)1. or 2., or as provided in paragraph (3)(b) below.

(b) The Florida Lottery reserves the right to make a case-by-case determination for retailers requesting a waiver of the Non-Sufficient Funds penalty who are not located in the disaster area. (Example: the retailer is able to conduct business activities but is unable to make a bank deposit due to complication associated with the bank’s location in the disaster area.)

(c) Except as provided in paragraph (3)(d) below, the penalty waiver set forth in this subsection shall remain in effect until such time as this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

(d) The Florida Lottery reserves the right to make a case-by-case determination as to whether a Non-Sufficient Funds penalty assessed to a retailer shall be waived. (Example: the retailer is located within the disaster area but its Non-Sufficient Funds occurrence is for reasons not attributable to Hurricane Charley.)

(4) Lost, Stolen or Damaged Instant Lottery Ticket Service Fees.

(a) Inactive Books.

1. The service fee for books of instant tickets reported as lost, stolen, or damaged as set forth in Rule 53ER02-41, F.A.C., that were in received status as of August 13, 2004 shall be waived provided the retailer (instant-only or on-line) meets the criteria set forth in subparagraphs (2)(a)1. or 2., except as provided in subparagraph (4)(a)2. below.

2. The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer’s reporting of inactive lost, stolen, or damaged books is for reasons not attributable to Hurricane Charley, in which case the service fee will be assessed in the regular manner.

(b) Active Books. Charges for books of instant tickets placed in an active status on or before August 13, 2004 and subsequently reported as lost, stolen, or damaged will be determined by the Lottery on a case-by-case basis for retailers meeting the criteria set forth in subparagraphs (2)(a)1. or 2.

(c) The fee waiver set forth in this subsection shall remain in effect until such time this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

(5) Retailer Application Fee – Change of Location.

(a) The \$10.00 fee for retailers that apply to change a location as set forth in Rule 53ER01-3, F.A.C., shall be waived provided the retailer (instant-only or on-line) meets the criteria set forth in subparagraph (2)(a)1. or 2., except as provided in paragraph (5)(b) below.

(b) The Florida Lottery reserves the right to make a case-by-case determination as to whether the retailer’s change in location is for reasons not attributable to Hurricane Charley, in which case the fee will be assessed in the regular manner.

(c) The fee waiver set forth in this subsection shall remain in effect until such time as this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

(6) This emergency rule replaces Emergency Rule 53ER04-47, F.A.C.

Specific Authority 24.105(9)(j), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(j), 24.112(1) FS. History—New 10-1-04, Replaces 53ER04-47, F.A.C.

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

EFFECTIVE DATE: October 1, 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 FINANCIAL SERVICES

Division of Personnel

RULE TITLE:

RULE NO.:

Alternative Procedures For Resolution of Disputed Personal Lines Insurance Claims Arising From Hurricane and Tropical Storm Damage

69BER04-8

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Department of Financial Services hereby states that the following circumstances constitute an immediate danger to the public health, safety, or welfare: The 2004 hurricane season has been particularly destructive for Florida. Substantial damage in southwest and central Florida was caused by Hurricane Charley, which hit the Punta Gorda and Port Charlotte area on August 13, 2004 as a category 4 hurricane with sustained winds up to 145 miles per hour. Hurricane Charley crossed northeast through the center of the state exiting near Daytona Beach. In a 10-mile wide path extending from the southwest coast there was widespread major damage to homes, loss of personal belongings and corresponding temporary loss of employment. Additional damage was caused by Hurricane Frances, which hit the east coast of Florida coast on September 4, 2004 as a category 2 hurricane, and slowly crossed the peninsula. Hurricane Frances, though less intense than Charley, caused damage over a much wider area of the state.

On September 16, category 4 Hurricane Ivan caused massive damage in the Florida Panhandle. Hurricane Ivan impacted the Gulf Coast as a category 4 hurricane with sustained winds up to 130 miles per hour. The eye made land fall just west of the western Florida line, bringing hurricane force winds to much

of the Florida Panhandle. The hurricane also produced tornados that destroyed and damaged structures in the Florida Panhandle. There was extensive damage in the Pensacola area, which was hit by the strong northeast quadrant of the storm as it made landfall.

This emergency rule is also necessitated by the damage resulting in Florida from Hurricane Jeanne, which made landfall near Stuart, Florida the night of September 25 as a category 3 hurricane with sustained winds up to 120 miles per hour. On September 26, the storm made a path northwest across the state. The Governor of Florida has declared a state of emergency (Executive Order # 04-217). The President of the United States has declared 19 Florida counties a federal disaster area.

The Governor of Florida declared states of emergency as a result of each of the hurricanes.

Insured losses have been estimated at \$6.8 billion for Charley and at \$3 to \$10 billion for Frances. Preliminary damage estimates for Hurricane Ivan are \$2 to \$10 billion. Initial damage estimates for Hurricane Jeanne are \$4 billion in insured losses. This emergency rule implements Section 627.7015, Florida Statutes, by setting forth a non-adversarial alternative dispute resolution procedure for a facilitated claim resolution conference prompted by the critical need for effective, fair, and timely handling of personal lines insurance claims arising out of damages to property caused by hurricanes and tropical storms during the 2004 hurricane season.

SUMMARY OF THE RULE: This emergency rule establishes a special mediation program for personal lines residential insurance claims resulting from Hurricanes Charley, Frances, Ivan and Jeanne. The rule creates procedures for notice of the right to mediation, request for mediation, assignment of mediators, payment for mediation, and conduct of mediation.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Tom Terfinko, Assistant Director, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0320; (850)413-5802

THE FULL TEXT OF THE EMERGENCY RULE IS:

69BER04-8 Alternative Procedures For Resolution of Disputed Personal Lines Insurance Claims Arising From Hurricane and Tropical Storm Damage.

(1) Purpose and Scope. This emergency rule implements Section 627.7015, Florida Statutes, by setting forth a non-adversarial alternative dispute resolution procedure for a facilitated claim resolution conference prompted by the critical need for effective, fair, and timely handling of personal lines insurance claims arising out of damages to residential property caused by hurricanes and tropical storms during the 2004 hurricane season (June 1, 2004 through November 30, 2004). Before resorting to these procedures, insureds and insurers are encouraged to resolve claims as quickly and fairly as possible.

The procedure established by this emergency rule is available to all first party claimants prior to engaging counsel, or commencing either litigation or the appraisal process, who have personal lines claims resulting from damage to residential property occurring in the State of Florida. This rule does not apply to commercial insurance, private passenger motor vehicle insurance or to liability coverage contained in property insurance policies.

(2) Definitions. The following definitions apply to the terms of this rule as used herein.

(a) "Administrator" means the Department or its designee, and the term is used interchangeably with regard to the Department's duties under this rule.

(b) "Claim" means any matter on which there is a dispute or for which the insurer has denied payment. Unless the parties agree to mediate a claim involving a lesser amount, a "claim" involves the insured requesting \$500 or more to settle the dispute, or the difference between the positions of the parties is \$500 or more, in either case, notwithstanding any applicable deductible. "Claim" does not include a dispute with respect to which the insurer has reported allegations of fraud, based on an investigation by the insurer's special investigative unit, to the Department's Division of Insurance Fraud.

(c) "Department" means the Department of Financial Services or its designee. Reporting to the Department shall be directed to: Department of Financial Services, Mediation Section, Bureau of Insurance Consumer Assistance, Tallahassee, Florida 32399-0322; or by facsimile to (850)412-2349.

(d) "Mediator" means an individual selected by the Department to mediate disputes pursuant to this rule. The mediators will be selected from a panel of Circuit Court – Civil mediators approved by the Florida Supreme Court pursuant to the Florida Rules of Certified and Court Appointed Mediators or from the list of approved mediators pursuant to Rule 69B-166.031, F.A.C.

(e) "Party" or "Parties" means the insured and his or her insurer, including Citizens Property Insurance Corporation, the National Flood Insurance Program and insurers who write flood insurance in conjunction with the National Flood Insurance Program, when applicable.

(3) Notification of Right to Mediate. Within 5 days of the time an insured files a first-party claim, the insurer shall mail to the insured a notice of the right to mediate disputed claims. No other materials, forms or documents may be included in the mailing that contains this notice. For claims not yet settled that were filed prior to the effective date of this rule, the insurer shall mail the notice to the insured within 14 days of the effective date of this rule. Notification shall be in writing and shall be legible, conspicuous, and printed in at least 12-point type. The first paragraph of the notice shall contain the following statement: "Tom Gallagher, Chief Financial Officer for the State of Florida, has adopted an emergency rule to facilitate fair and timely

handling of residential property insurance claims arising out of the hurricanes that have recently devastated so many homes in Florida. The emergency rule gives you the right to attend a mediation conference with your insurer in order to settle any dispute you have with your insurer about your claim. You can start the mediation process 21 days after the date of this notice by calling the Department of Financial Services at 1(800)227-8676 (1(800)22-Storm). An independent mediator, who has no connection with your insurer, will be in charge of the mediation conference.” The notice shall also:

(a) Include detailed instructions on how the insured is to request mediation, including name, address, and phone and fax numbers for requesting mediation through the Department;

(b) State that the parties have 21 days from the date of the notice within which to settle the claim before the insured may request mediation;

(c) Include the insurer’s address and phone number for requesting additional information; and

(d) State that the Department or the Administrator will select the mediator.

(4) Request for Mediation. After 21 days from the date of the notice, an insured may request mediation by contacting the insurer or by writing to the Department of Financial Services, Mediation Section, Bureau of Insurance Consumer Assistance, Tallahassee, Florida 32399-0322; by calling the Department at 1(800)22-Storm (1(800)227-8676); or by faxing a request to the Department at (850)412-2349. If an insurer receives a request for mediation, the insurer shall fax the request to the Mediation Section within 48 hours of receipt of the request. The Department will forward requests to the Administrator within 24 hours of receipt of the requests. The Administrator shall notify the insurer within 48 hours of receipt of requests filed with the Department. The insured should provide the following information if known:

(a) Name, address, and daytime telephone number of the insured and location of the property if different from the address given;

(b) The claim and policy number for the insured;

(c) A brief description of the nature of the dispute; and

(d) The name of the insurer and the name, address and phone number of the contact person for scheduling mediation.

(e) Information with respect to any other policies of insurance that may provide coverage of the insured property for named perils such as flood or windstorm.

(5) Scheduling of Mediation. The Administrator will select a mediator and schedule the mediation conference. The Administrator will attempt to facilitate reduced travel and expense to the parties and the mediator when selecting a mediator and scheduling the mediation conference. The Administrator shall confer with the mediator and all parties prior to scheduling a mediation conference. The conference shall be scheduled to be held within 20 days from the date the Administrator received the request unless the parties agree to a

later date for the conference. The Administrator shall notify each party in writing of the date, time and place of the mediation conference at least 10 days prior to the date of the conference and concurrently send a copy of the notice to the Department. The insurer shall notify the Administrator as soon as possible after settlement of any claim that is scheduled for mediation pursuant to this rule. Mediation Conference.

(a) The representative of the insurer attending the conference must bring a copy of the policy and the entire claims file to the conference. The representative of the insurer attending the conference must know the facts and circumstances of the claim and be knowledgeable of the provisions of the policy. An insurer will be deemed to have failed to appear if the insurer’s representative lacks authority to settle the full amount of the claim or lacks the ability to disburse the settlement amount at the conclusion of the conference.

(b) A party may move to disqualify a mediator for good cause at any time. The request shall be directed to the Department if the grounds are known prior to the mediation conference. Good cause consists of conflict of interest between a party and the mediator, inability of the mediator to handle the conference competently, or other reasons that would reasonably be expected to impair the conference.

(c) The insurer shall pay all costs of the mediation, except as otherwise provided in this rule. Costs shall be paid directly to the Administrator. Within 5 days of receipt of the request, the insurer shall pay a non-refundable administrative fee, not to exceed \$100, as determined by the Department, to the Administrator to defer the expenses of the Administrator and the Department. The insurer shall pay \$250 to the Administrator for the mediator’s fee not later than 5 days prior to the date scheduled for the mediation conference. However, if the mediation is cancelled for any reason more than 120 hours prior to the scheduled mediation time and date, the insurer shall pay \$50 to the Administrator for the mediator’s fee instead of \$250. No part of the fee for the mediator shall be refunded to the insurer if the conference is cancelled within 120 hours of the scheduled time.

(d) If the insured fails to appear, without good cause as determined by the Department, the insured may have the conference rescheduled only upon the insured’s payment of the mediation fees for the rescheduled conference. If the insurer fails to appear at the conference, without good cause as determined by the Department, the insurer shall pay the insured’s actual expenses incurred in attending the conference and shall pay the mediator’s fee whether or not good cause exists. Failure of a party to arrive at the mediation conference within 30 minutes of the conference’s starting time shall be considered a failure to appear. Good cause shall consist of severe illness, injury, or other emergency which could not be controlled by the insured or the insurer and, with respect to an insurer, could not reasonably be remedied prior to the

conference by providing a replacement representative or otherwise. If an insurer fails to appear at conferences with such frequency as to evidence a general business practice of failure to appear, the insurer shall be subject to penalty, including suspension, revocation, or fine for violating Section 626.9541(1)(i), Florida Statutes.

(e) Upon request of the insured or the mediator, a representative of the Department will be available to help insureds prepare for the mediation conferences. A representative of the Department will be present at and participate in the conference if requested at least 5 days prior to the scheduled mediation by a party or the mediator to offer guidance and assistance to the parties. The Department will attempt to have a representative at the conference if the request is received less than 5 days prior to the scheduled mediation. Representatives of the Department that participate in the conference shall not assume an advocacy role but shall be available to provide legal and technical insurance information.

(f) The mediator will be in charge of the conference and will establish and describe the procedures to be followed. Mediators shall conduct the conference in accordance with the standards of professional conduct for mediation under the Florida Rules of Certified and Court-Appointed Mediators. Each party will be given an opportunity to present their side of the controversy. In so doing, parties may utilize any relevant documents and may bring any individuals with knowledge of the issues, such as adjustors, appraisers, or contractors, to address the mediator. The mediator may meet with the parties separately, encourage meaningful communications and negotiations, and otherwise assist the parties to arrive at a settlement. For purposes of this claims settlement process, mediators shall be deemed agents of the Department and shall have the immunity from suit provided to mediators in Section 44.107, Florida Statutes. All statements made and documents produced at a settlement conference shall be deemed settlement negotiations in anticipation of litigation.

(g) Section 627.7015, Florida Statutes, provides that mediation is a non-adversarial process held in an informal, non-threatening forum intended to bring the parties together for a settlement conference without the trappings or drawbacks of an adversarial process. As such, it is not necessary for either party to involve a private attorney to intercede on their behalf. Therefore, an attorney representing an insurer will not be permitted to attend or participate in a mediation conference held pursuant to this rule. An attorney representing an insured is permitted to attend or participate in a mediation conference held pursuant to this rule. However, the insured's attorney must conduct him or herself in the cooperative spirit of the intent of the law and this rule and refrain from turning the conference into an adversarial process. The insured's attorney shall refrain from attempting to take advantage of the fact that the insurer is not represented by counsel. Both parties must negotiate in good faith. A party will be determined to have not negotiated

in good faith if the party, or a person participating on the party's behalf, continuously disrupts, becomes unduly argumentative or adversarial, or otherwise inhibits the negotiations as determined by the mediator. The mediator shall terminate the conference if the mediator determines that either party is not negotiating in good faith or if the mediator determines that the conference should be terminated under the provisions of Rule 10.420(b) of the Florida Rules for Certified and Court-Appointed Mediators.

(6) Post Mediation. Within 5 days of the conclusion of the conference the mediator shall file with the Department and the Administrator a mediator's status report, on Form DFS-HO-1159 which is entitled Disposition of Property Insurance Mediation Conference and is available from the Department, indicating whether or not the parties reached a settlement. If the parties reached a settlement, the mediator shall include a copy of the settlement agreement with the status report. Mediation is non-binding. However, if a settlement is reached, the insured shall have 3 business days within which he or she may rescind any settlement agreement provided that the insured has not cashed or deposited any check or draft disbursed to him or her for the disputed matters as a result of the conference. If a settlement agreement is reached and is not rescinded, it shall act as a release of all specific claims that were presented in the conference. Any additional claims under the policy shall be presented as separate claims. However, the release shall not constitute a final waiver of rights of the insured with respect to claims for damages or expenses if circumstances that are reasonably unforeseen arise resulting in additional costs that would have been covered under the policy but for the release.

(7) If the insured decides not to participate in this claim resolution process or if the parties are unsuccessful at resolving the claim, the insured may choose to proceed under the appraisal process set forth in the insured's insurance policy, by litigation, or by any other dispute resolution procedure available under Florida law.

(8) The Department is authorized to designate an entity or person as its Administrator to carry out any of the Department's duties under this rule.

(9) If a court holds any subsection or portion of a subsection of this emergency rule or the applicability thereof to any person or circumstance invalid, the remainder of the emergency rule shall not be affected thereby.

(10) The applicable provisions of Rule 69B-166.031, F.A.C., shall govern issues relating to mediation that are not addressed in this rule. The provisions of this emergency rule shall govern in the event of any conflict with the provisions of Rule 69B-166.031, F.A.C.

Specific Authority 624.308, 626.9611, 627.7015(4) FS. Law Implemented 624.307(1), (2), (4), (5), 624.316, 624.3161, 624.317, 624.318, 624.320, 624.324, 624.418(2)(a), 624.4211, 626.859, 626.874, 626.877, 626.9541(1)(i), 626.9561, 626.9641(1)(g), 627.7015 FS. History—New 9-29-04.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: September 29, 2004

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on September 29, 2004 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Codes from Meridian Catering, Inc. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

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

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

NOTICE IS HEREBY GIVEN that on September 30, 2004; the Division of Hotels and Restaurants received a Petition for Emergency Variance (VW 2004-126) for subsection 61C-4.010(7), Florida Administrative Code from Cyrus Corporation, L.L.C. located in Destin. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to use central bathrooms located approximately 20 feet beyond the Café’s corridor entrance instead of adding bathroom facilities to the proposed establishment.

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

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

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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling hereby gives notice that it has issued an Order on the Petition for Waiver filed by Etzer Duffaut. The Notice of Petition for Waiver was published in Vol. 30, No. 31, of the July 30, 2004, Florida Administrative Weekly. The Board considered the Petition at its meeting held on August 19-20, 2004, in Tallahassee, Florida. The Board’s Order, filed on September 29, 2004, denies the petition for waiver finding that the purpose of Section 120.542(2), Florida Statutes, as implemented by subparagraph 64B4-3.003(3)(a)1., Florida Administrative Code, has not been met, and that the Petitioner has not demonstrated that the application of the rule in question creates a substantial hardship or violation of principles of fairness.

A copy of the Board’s Order may be obtained by contacting: Foster, Executive Director, Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Psychology hereby gives notice that it has received a petition, filed on September 28, 2004 on behalf of Susan A. Henderson, Psy.D., seeking a variance or waiver of paragraph 64B19-11.001(4)(c), Florida Administrative Code, with respect to the time frame for the passing of both parts of the examination for purposes of avoiding the closing of the application file.

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.

The Board of Psychology hereby gives notice that it has received a petition, filed on September 28, 2004 on behalf of James November, Ph.D., seeking a waiver of Rule 64B19-12.0085, Florida Administrative Code, with respect to the imposition of a delinquency fee for the untimely renewal of licensure.

This matter will be addressed during the scheduled Board meeting on November 19, 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.

The Board of Psychology hereby gives notice that it has received a petition, filed on October 4, 2004 on behalf of Claudia Uribe, Psy.D., seeking a variance or waiver of paragraph 64B19-11.001(4)(c), Florida Administrative Code, with respect to the time frame 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 November 19, 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.

NOTICE IS HEREBY GIVEN that the Department of Health received a Petition for Variance on August 16, 2004, from Mrs. Pearson's Preschool of Enrichment for the use of a handwashing sink that is not located in or immediately adjacent to a toilet room (restroom). The petition seeks relief from subsection 64E-11.007(5), F.A.C., which specifies the location of handwashing sinks and other requirements.

Comments on the petition should be filed with Sam Power, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice. For a copy of the petition, contact: Rid Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on September 24, 2004, Florida Housing Finance Corporation received a Petition for Waiver/Variance of subsection 67-50.005(6), Florida Administrative Code, from Sandhill Enterprises, Inc. d/b/a W. C. Dailey Construction ("Petition"). The Petition is seeking a variance from the rule which provides that all the units be built on paved roads. A copy of the Petition can be obtained from Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Florida Folklife Council** announces a public meeting to which all persons are invited.

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

PLACE: R. A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0259

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the Heritage Award applications.

A copy of the agenda may be obtained by writing: Leo Falcon, Bureau of Historic Preservation, Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6333.

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 the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 10th day of November 2004, if you need an accommodation. Accommodations can be arranged through: Allison McCarthy, ADA Coordinator, Historical and Cultural Programs, (850)245-6300, Fax (850)245-6437, e-mail: amccarthy@dos.state.fl.us.

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women's** Local Commission on the Status of Women Task Force Committee will hold telephone conference call:

DATE AND TIME: Wednesday, October 27, 2004, 2:30 p.m. (Please call (850)414-3300 for instructions on participation)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues, to which all persons are invited.

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

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

The **Florida Elections Commission** announces a meeting. Parts of the meeting are confidential.

DATES AND TIMES: November 17, 2004, 8:30 a.m. – 5:00 p.m.; November 18, 2004, 8:30 a.m. – 12:00 Noon

PLACE: Turnbull Conference Center, 555 W. Pensacola Street, Room 110, Tallahassee, Florida 32306-1640, (850)644-3801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda call: Patsy Rushing, (850)922-4539.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing at least 48 hours before the meeting.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2004, 12:00 Noon – 1:30 p.m.

PLACE: Casa Monica Hotel, St. Augustine, Florida, 1(800)648-1888

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Propane Education, Safety and Research Council and representatives of the Florida Dept. of Agriculture and Consumer Services to discuss current and proposed Council programs and budget issues.

Additional information may be obtained by writing: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

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 in advance by contacting Ms. O'Neil at the number above.

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

DATE AND TIME: Tuesday, October 26, 2004, 9:00 a.m.

PLACE: San Sebastian Winery, 157 King Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Reports and Board Meeting. The purpose of this meeting is to conduct the general business of the Florida Viticulture Advisory Council.

For additional information or if you need special accommodations, call: Richard Menendez, (850)488-4277.

The Board of Directors of **Florida Agriculture in the Classroom, Inc.** will hold its annual retreat to which all interested persons are invited.

Regular Board Meeting

DATE AND TIME: November 3, 2004, 1:00 p.m. – 4:00 p.m.

Long Term Planning Session

DATE AND TIME: Thursday November 4, 2004, 9:00 a.m. – 1:00 p.m.

PLACE: Casa Monica Hotel, St. Augustine, Florida. The Casa Monica Hotel, 95 Cordova St., St. Augustine, FL

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Aquaculture Review Council.

DATE AND TIME: November 5, 2004, 1:00 p.m.

PLACE: Ybor City Hilton Garden Inn, 1700 East 9th Avenue, Ybor City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda can be obtained by contacting: Karen Metcalf at the Division of Aquaculture, 1203 Governor's Square Boulevard, Fifth Floor, Tallahassee, FL 32301, (850)488-4033.

If special accommodations are needed to attend this meeting because of disability, please contact Karen Metcalf as soon as possible.

DEPARTMENT OF EDUCATION

The **Department of Education, Division of Blind Services**, Bureau of Business Enterprises and the State Committee of Vendors announces a meeting to which all persons are invited.

DATES AND TIMES: November 5, 2004, 1:30 p.m.; continuing November 6, 2004, 8:00 a.m.

PLACE: Embassy Suites, 225 E. Altamonte Drive, Altamonte Springs, Florida 32701 (To make hotel reservations call (407)834-2400 or 1(800)EMBASSY)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics under discussion will be set by the Business Enterprises Program Administration and Committee Chairperson prior to the meeting and General Topics brought up by the District Representatives at the meeting.

A copy of the quarterly minutes can be obtained at the Division of Blind Services, Web Site: www.state.fl.us/dbs/ and going to Business Enterprises Program, Minutes.

The State of Florida, **Department of Education, Education Practices Commission**, announces a Teacher Hearing Panel, an Administrator Hearing Panel and an Annual Business Meeting; all persons are invited.

DATES AND TIMES: Teacher Hearing Panel – October 22, 2004, 9:00 a.m.; Administrator Hearing Panel – October 22, 2004, 11:00 a.m.; Annual Business Meeting – October 22, 2004, 1:00 p.m.

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida 32301, (850)402-9400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made.

The record will include the testimony and evidence upon which the appeal is to be based. Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, Room 224, Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System, 711.

The **Duval County Research and Development Authority** announces a business meeting.

DATE AND TIME: November 3, 2004, 3:00 p.m. – 5:00 p.m.

PLACE: University of North Florida, University Center, Room 1058 BOT2, 4567 St. Johns Bluff Road, South, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting.

A copy of the meeting agenda may be obtained by contacting: Earle C. Traynham, Executive Director, Duval County Research and Development Authority, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224-2645.

The Probable Cause Panel of the **Commission for Independent Education** announces a meeting.

DATE AND TIME: October 26, 2004, 9:00 a.m.

PLACE: By teleconference at the “meet me” number, (850)488-5776, Sumcom 278-5776

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review the investigative reports and complaints in which the probable cause panel has to make a determination as to whether there is the existence of probable cause pursuant to Chapter 1005, Florida Statutes.

A copy of the public portion of the agenda may be obtained by writing: Margaret O’Sullivan Parker, Deputy General Counsel, Florida Department of Education, Room 1244, Turlington Building, Tallahassee, Florida 32399-0400, (850)245-0442.

NOTE: Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)448-4925, at least five calendar days prior to the meeting being held. If you are hearing impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-9770 (Voice) and 1(800)955-8771 (TDD).

The **K-20 Education Safety Partnership** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 18, 2004, 10:00 a.m. – 4:00 p.m.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Room 225F, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the K-20 Education Safety Partnership.

The K-20 Education Safety Partnership welcomes participation from any interested members of the public.

Any person who desires a copy of the proceedings should arrange to tape the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is requested to advise Julie Collins, Office of Safe Schools, (850)245-0676, at least five calendar days before the meeting.

The **Florida Education Foundation** will hold a Conference Call Meeting of the Board of Directors:

DATE AND TIME: October 27, 2004, 4:00 p.m. – 5:00 p.m. or upon adjournment

PLACE: Room 1505, Turlington Building, 325 W. Gaines Street, Tallahassee, FL 32399-0400; Telephone numbers: (850)922-2903, Suncom 292-2903, Toll-free 1(800)416-4254

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second meeting of the board. Consideration of foundation business including but not limited to: Report on assistance provided to schools after hurricanes; pending accounts payable, possible committee proposals for funding and matters pertaining to general administration of the foundation; commissioner's update; executive director's report; approval of minutes from May 27, 2004 board meeting; and minutes from emergency executive committee meeting held regarding hurricanes and assistance for students and teachers.

This meeting is open to the public. Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 2 days in advance, so that their needs can be accommodated.

For additional information: Jan E. Smith, Chairman, Florida Education Foundation, 325 West Gaines Street, Suite 1532, Tallahassee, FL 32399-0400, (850)245-9691 or Diane McCain, Executive Director, diane.mccain@fldoe.org

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: October 26, 2004, 1:30 p.m.

PLACE: Indian River County Administrative Building, 2nd Floor Conference Room, 1840 25th Street, Vero Beach, Florida 32960

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and the Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in Indian River County. Entities interested in contracting with DCA to provide all or part of these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities, and in assisting low-income

persons in the area to be served, and their capacity to undertake a timely and effective weatherization program. Preferences will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements.

ACTIONS TO BE TAKEN: The DCA will review all comments received at the public hearing and the submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Indian River County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax (850)488-2488.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a formal record of the proceeding, and for such purposes he or she may 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.

Anyone who wants a copy of the agenda or additional information on this hearing may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax (850)488-2488.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. 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) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Department of Law Enforcement, Medical Examiners Commission** announces a Medical Examiners Commission Meeting.

DATE AND TIME: Thursday, November 4, 2004, 1:30 p.m.
PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Quad C, Third Floor, Classroom C, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Medical Examiners Commission Office, (850)410-8600, at least five (5) working days prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information or a copy of the agenda may be obtained by contacting: Mrs. Victoria G. Marsey, Bureau Chief, Bureau of Standards, Criminal Justice Professionalism Services, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District Five announces public hearings to which all interested persons are invited. Specific notice is provided to the Brevard, Ocala, Volusia, Lake, and Orlando Metropolitan Planning Organizations (MPOs) and the County Commissioners for Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia Counties.

FOR FLAGLER AND VOLUSIA COUNTIES:
DATE AND TIMES: November 4, 2004, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Volusia County Mobility Management Center, VOTRAN, 950 Big Tree Road, South Daytona, Florida

FOR MARION COUNTY:
DATE AND TIMES: November 18, 2004, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Marion County Commission Chambers, 601 S. E. 25th Avenue, Ocala, Florida

FOR ORANGE, OSCEOLA AND SEMINOLE COUNTIES:
DATE AND TIMES: November 23, 2004, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: Florida Department of Transportation, Orlando Urban Office, Lake Apopka Conference Room, 133 South Semoran Blvd., Orlando, Florida

FOR LAKE AND SUMTER COUNTIES:
DATE AND TIMES: December 1, 2004, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing

PLACE: County Administration Building, Commission Chambers, 2nd Floor, 315 West Main Street, Tavares, Florida
FOR BREVARD COUNTY:

DATE AND TIMES: December 9, 2004, 5:30 p.m. – Documents/Information available for review; 6:00 p.m. – Public Hearing
PLACE: Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, as amended. The purpose of these public hearings is to consider the Department’s Tentative Work Program for Fiscal Years 2005/2006- 2009/2010, and to consider making any changes to the Program. These hearings also will include consideration of proposed projects for the Florida’s Turnpike Enterprise as applicable in Lake, Marion, Orange, Osceola, Seminole and Sumter Counties.

Written comments from all interested parties will be accepted by the Department at the Public Hearing and within ten days after the Public Hearing. Comments should be addressed to: George Gilhooley, Interim District Secretary, Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720.

A copy of the agenda may be obtained from: Ms. Georganna L. Gillette, MPO Liaison, Florida Department of Transportation, 133 South Semoran Boulevard, Orlando, Florida 32807.

In compliance with the Americans with Disability Act, the Department, if requested, will provide special assistance at the public hearings for those persons who are disabled. Those persons requiring special assistance must notify the Department at least ten days prior to the public hearing, by contacting: Michael Szunyog, Florida Department of Transportation, 133 South Semoran Boulevard, Orlando, Florida 32807, (407)482-7800.

The **Department of Transportation**, District 4, in cooperation with Palm Beach County, announce a public hearing to which all persons are invited.

DATE AND TIME: Monday, November 15, 2004, 6:30 p.m.
PLACE: Royal Palm Beach High School, cafeteria, 10600 Okeechobee Boulevard, Royal Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects

of Financial Project Identification Number 409701-1-54-01, otherwise known as SR 704 (Okeechobee Boulevard) in Palm Beach County, Florida. The project recommends the widening and reconstruction of the existing six-lane, divided roadway to an eight-lane divided roadway with four (4) travel lanes, a bicycle lane, and a sidewalk in each direction. Curb and gutter and bus bays will be provided in some locations. Project limits along SR 704 (Okeechobee Boulevard) are from 0.25 mile west of SR 7 (US 441) to the Florida's Turnpike Entrance just east of Florida's Turnpike in Palm Beach County.

Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call (954)777-4335, toll free 1(866)336-8435, Ext. 4335.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing: Ms. Cassandra Piché, Project Manager, Florida Department of Transportation, Office of Planning and Environmental Management, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

The Florida **Department of Transportation**, District 3 hereby announces public hearings to which all persons are invited. Specific notice is provided to the Pensacola Transportation Planning Organization and the County Commissioners for Escambia and Santa Rosa Counties serving as TPO for their respective counties; the Tallahassee Capital Region Transportation Planning Organization and the County Commissioners for Leon, Gadsden, Liberty, Wakulla, Franklin, and Jefferson Counties serving as CRTPO for their respective counties; the Fort Walton Beach Transportation Planning Organization and the County Commissioners for Okaloosa and Walton Counties serving as TPO for their respective counties; and the Panama City Transportation Planning Organization and the County Commissioners for Bay, Gulf, Washington, Jackson, Holmes, and Calhoun Counties serving as TPO for their respective counties.

The Public Hearings are scheduled as follows:

1. Bay, Gulf, Washington, Jackson, Holmes, and Calhoun Counties:

DATE AND TIME: November 8, 2004, District Three Work Program, 2:00 p.m. – 3:00 p.m. (CST)

PLACE: Commission Chamber Room, Panama City Hall, 9 Harrison Avenue, Panama City, Florida 32401

2. Escambia and Santa Rosa Counties:

DATE AND TIME: November 1, 2004, District Three Work Program, 2:00 p.m. – 3:00 p.m. (CST)

PLACE: Santa Rosa County Commission Chamber, 6495 Caroline Street, Suite M, Milton, Florida 32570

3. Okaloosa and Walton Counties:

DATE AND TIME: November 4, 2004, District Three Work Program, 2:00 p.m. – 3:00 p.m. (CST)

PLACE: City Hall Commission Chamber, 107 Miracle Strip Parkway, Ft. Walton Beach, Florida 32549

4. Leon, Gadsden, Liberty, Wakulla, Franklin, and Jefferson Counties:

DATE AND TIME: November 5, 2004, District Three Work Program, 3:00 p.m. – 4:00 p.m. (EST)

PLACE: Commission Chamber Room, Tallahassee City Hall, 300 South Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes. The hearings serve two purposes. The purpose of the public hearings is to consider the Department's Improved Tentative Work Program for District Three, for the period 2005/2006 through 2009/2010, and to consider the necessity of making any changes to the Program.

Any comments or input are welcome from all local and regional interest groups, governmental entities, business enterprises, and the general public. These Hearings are held in conformance with Public Law 101-336, the Americans with Disabilities Act (ADA). Assistance for disabled persons may be arranged by contacting the Title VI/VII Coordinator, (850)638-0250, Extension 520, at least 7 working days in advance of the public hearing.

Written comments from TPOs and other interested parties will be received by the Department at the Public Hearings and within 10 days after the Public Hearings. Comments should be addressed to: Mr. H. E. Prescott, District Secretary, Department of Transportation, District Three, Post Office Box 607, Chipley, Florida 32428.

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2004, 8:30 a.m.

PLACE: Department of Transportation, Turnpike Headquarters Auditorium, Mile Post 263, Turkey Lake Service Plaza, Building 5315, Ocoee, 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.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Wednesday, October 27, 2004, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regular monthly meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters addressed during monthly meetings of the Commission. The Commission may also go into closed session pursuant to the provisions of Section 286.011(8), F.S., to address issues related to the Tampa Juice, et. al. & Graves Brothers, et. al. vs. FDOC and The Lakeland Ledger Publishing Company, Publisher of The Ledger vs. FDOC. The parties attending the closed session will be John R. Alexander, Patrick Carlton, Michael L. Carrere, Tristan G. Chapman, W. Cody Estes, Sr., Harry H. Falk, William J. Ferrari, George T. Pantuso, Anina C. McSweeney, Stephen W. Ryan, Ray Smith, Andrew R. Taylor, Dan Gunter, Hank B. Campbell, Esq., Monterey Campbell, Esq., Barry Richard, Esq., and Kenneth O. Keck, Esq.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Bill Jones at the above address or by telephone, (863)499-2500.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: November 2, 2004, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: November 2, 2004, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO. 040817-EI – Petition for Determination of Need for Hines 4 Power Plant in Polk County by Progress Energy Florida, Inc.

DATE AND TIME: Wednesday, November 3, 2004, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition to determine need for the Hines Unit 4 electrical power plant by Progress Energy Florida, Inc., and for such other purposes as the Commission may deem appropriate. Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed plant. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Wednesday, November 3, 2004. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO. 030623-EI – Complaints by Ocean Properties, Inc., J.C. Penney Corp., Target Stores, Inc., and Dillard's Department Stores, Inc., against Florida Power & Light Company concerning thermal demand meter error.

DATE AND TIME: Thursday, November 4, 2004, 9:30 a.m. (This hearing was previously scheduled for September 23, 2004, but was cancelled. The above time and place have been established for purposes of rescheduling this hearing.)

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the complaints by Ocean Properties, Ltd., J.C. Penney Corp., Target Stores, Inc., and Dillard's Department Stores, Inc. against Florida Power & Light Company concerning thermal demand meter error, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues established in the Prehearing Order issued September 22, 2004. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Haiti Advisory Group** announces two meetings, in which all interested parties are invited to attend.

DATES AND TIME: Monday, October 18, 2004, 12:00 Noon; Friday, October 22, 2004, 12:00 Noon

PLACE: Biltmore Hotel, 1200 Anastasia Ave., Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters related to critical needs for the reconstruction of Haiti.

NOTE: These meetings will be held on an as needed basis.

For additional information, please contact: Michael Pilver, Executive Office of the Governor, (850)487-2568.

The **Governor's Commission on Volunteerism and Community Service**, Volunteer Florida announces a meeting to which all persons are invited.

DATES AND TIMES: November 9, 2004, 9:00 a.m. – 6:00 p.m.; November 10, 2004, 9:00 a.m. – 3:00 p.m.

PLACE: The Ritz-Carlton Sarasota, 1111 Ritz-Carlton Drive, Sarasota, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commissioner Orientation, Committee Meetings and the Commission business meeting.

A copy of the agenda may be obtained by writing: Gwen Erwin, Volunteer Florida, Governor's Commission on Volunteerism and Community Service, 401 South Monroe Street, Tallahassee, FL 32301-2034

If you require a reasonable accommodation to participate, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

REGIONAL PLANNING COUNCIL

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: October 28, 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: October 28, 2004, 6:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee.

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: October 28, 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 contacting: NCFRPC, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653, e-mail: ncfrpc@ncfrpc.org.

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 **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

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

PLACE: 631 North Wymore Road, Suite 100, Maitland, Florida 32751 (Please call (407)623-1075, Ext. 304, to confirm date, time and place)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by writing: Ms. Sandra Glenn, Executive Director, East Central Florida Regional Planning Council, 631 North Wymore Road, Suite 100, Maitland, Florida 32751

The **Central Florida Regional Planning Council** will hold a public meeting and an Executive Committee meeting, to which all persons are invited:

DATE AND TIME: Thursday, October 28, 2004, 3:00 p.m. – 6:00 p.m.

PLACE: Warner Southern College, Pontious Learning Resource Center Library, Rooms 202 & 203, 13895 US Highway 27, Lake Wales, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Meeting of the Council and the Executive Committee.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: October 29, 2004, 12:00 Noon

PLACE: Harborside Event Center, 1375 Monroe Street, Fort Myers, Florida 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: October 29, 2004, 8:00 a.m.

PLACE: Harborside Convention Center, 1375 Monroe Street, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: "Addressing the Regional Agenda" A Regional Planning Conference for Southwest Florida.

A copy of the proposed agenda may be obtained by contacting: Mr. Ken Heatherington, Planning Director or Ms. Nichole Winnett, Executive Assistant, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455, SWFRPC website www.swfrpc.org.

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 20, 2004, 1:00 p.m.

PLACE: Fire Fighters Memorial Hall, Fire Tower Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 2003/04.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, (954)985-4416 in Broward, Suncom 473-4416 or 1(800)985-4416 toll-free statewide.

The **South Florida Regional Planning Council** announces a public meeting of the State Road 7/US 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, October 21, 2004, 2:00 p.m. – 4:00 p.m.

PLACE: City of Ft. Lauderdale City Hall, 100 N. Andrews Avenue, 8th Floor Conference Room, Ft. Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement, and increased intergovernmental cooperation along the corridor.

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 State Road 7/U.S. 441 Collaborative Steering Committee with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because

of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 1, 2004, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendments for Monroe County, Florida City and Lauderhill; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendment for Monroe County; 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: October 28, 2004, 11:00 a.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee meeting – to discuss District issues.

DATE AND TIME: October 28, 2004, 12:00 Noon (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regulations Committee – to consider Proposed Rule Changes to Chapter 40A-2, Florida Administrative Code.

DATE AND TIME: October 28, 2004, 1:00 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

DATE AND TIME: October 28, 2004, 1:15 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Regulatory Matters – to discuss regulatory issues.

DATE AND TIME: October 28, 2004, 1:30 p.m. (EDT)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Land Acquisition Matters – to consider land acquisition 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.

In response to the requirements of subsection 373.1961(2), Florida Statutes (F.S.), **SJRWMD** maintains the Alternative Water Supply Construction Cost Sharing Program (AWSCCS) to fund the construction of alternative water supply facilities. Alternative water supplies are defined by statute as “water that has been reclaimed after one or more public supply, municipal, industrial, commercial, or agricultural uses or are supplies of stormwater, or brackish or salt water, that have been treated in accordance with applicable rules and standards sufficient to supply the intended use.” In accordance with subsection 373.1961(2), F.S., cost sharing funds are available to all water suppliers and users, including local governments; water, wastewater and reuse utilities; industrial and agricultural water users; and other public and private water users. The statute also requires the water management districts to appoint an Advisory Committee to make recommendations to the Governing Board about which applications to grant. Representation by city, county, and privately owned water supply utilities is required on this committee, and representation of agricultural and environmental interests is expressly allowed.

The Governing Board appoints the program Advisory Committee and approves the Alternative Water Supply Construction Cost Sharing Program application materials annually. Appointment of the Advisory Committee is essential to carrying out the program. Members of the Committee serve voluntarily and perform a valuable function for the District. Participation on the Advisory Committee requires travel to meetings.

Applications will be evaluated and ranked by the SJRWMD Alternative Water Supplies Construction Cost Sharing Advisory Committee (Committee). The Committee’s recommendation will be presented to the SJRWMD Governing Board, which has final authority concerning the distribution of money in this program. The Committee consists of representatives of public supply water utilities, agricultural water users, and the environmental community, appointed by the SJRWMD Governing Board.

Due to the Hurricanes Charley, Frances and Jeanne the Advisory Committee’s meetings have been scheduled to the following:

DATE AND TIME: October 13, 2004, 9:00 a.m. – 12:00 Noon

PLACE: Altamonte Service Center, SJRWMD, 975 Keller Road, Altamonte Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: First meeting to hear presentations.

DATE AND TIME: November 10, 2004, 9:30 a.m. – 12:00 Noon

PLACE: Altamonte Service Center, SJRWMD, 975 Keller Road, Altamonte Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Second meeting to finalize ranking and determine award amounts.

The **St. Johns River Water Management District** hereby gives notice of a Rules Public Workshop, to which all persons are invited to attend.

DATE AND TIME: October 28, 2004, 5:00 p.m.

PLACE: Jacksonville City Council Chambers, 1st Floor, City Hall, 117 West Duval Street, St. James Building, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed revisions to Chapter 40C-2, F.A.C., and Applicant’s Handbook: Consumptive Uses of Water, regarding Water Conservation/Irrigation Efficiency and General Consumptive Use Permit by Rule.

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

Anyone requiring special accommodations to participate in this meeting is requested to advise the District at least 5 work days before the meeting by contacting: Norma Messer, (386)329-4459 or (386)329-4450 (TDD).

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

WITHLACOOCHEE RIVER BASIN BOARD MEETING/WORKSHOP

DATE AND TIME: Monday, October 25, 2004, 9:00 a.m.

PLACE: Lecanto Government Center, 3600 W. Sovereign Path, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business and annual planning workshop.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING

DATE AND TIME: Tuesday, October 26, 2004, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, October 27, 2004, 9:00 a.m.

PLACE: SWFWMD, District headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing.

PUBLIC WORKSHOP ON PROPOSED MINIMUM AND GUIDANCE LEVELS

DATE AND TIME: Thursday, October 28, 2004, 6:30 p.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss proposed minimum and guidance levels for lakes Crescent, Horse, Pretty, Taylor and Wimauma (Hillsborough County lakes), and Middle Lake (Pasco County).

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact: 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meeting to which all interested persons are invited:

CITRUS COUNTY TSALA-APOPKA CHAIN OF LAKES TASK FORCE OF THE CITRUS/HERNANDO WATERWAYS RESTORATION COUNCIL

DATE AND TIME: Monday, October 25, 2004, 5:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida), or (352)796-7211, Extension 4226, Fax (352)797-5806, TDD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, November 3, 2004, 9:00 a.m. – 4:00 p.m.

PLACE: The South Florida Water Management Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to provide an overview of regional conditions and system operations for the prior 6-month period, and projected conditions and operations of Lake Okeechobee for the next 6-month period. All interested parties are invited to attend.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Susan Gray, Ph.D., Lake Okeechobee Division, Watershed Management Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4430, West Palm Beach, FL 33406, (561)682-6919.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: October 27, 2004, 3:00 p.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: General Engineering Services Contractors Meet and Greet.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda/html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Sandra Hammerstein, Procurement Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 660, West Palm Beach, FL 33406, (561)682-2847.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a TD Oversight Committee Meeting to which all persons are invited.

DATE AND TIME: October 28, 2004, 10:00 a.m. – completion
PLACE: Hyatt Regency, Coconut Point, 5001 Coconut Road, Bonita Springs, Florida, (239)444-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and report progress to the full Commission for services coordinated and provided by CTCs and subcontractors.

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 Medicaid Committee Meeting to which all persons are invited.

DATE AND TIME: Thursday, October 28, 2004, 1:00 p.m. – completion

PLACE: Hyatt Regency, Coconut Point, 5001 Coconut Road, Bonita Springs, Florida, (239)444-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address regular Committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Business Meeting to which all persons are invited.

DATE AND TIME: Friday, October 29, 2004, 9:00 a.m. – completion

PLACE: Hyatt Regency, Coconut Point, 5001 Coconut Road, Bonita Springs, Florida, (239)444-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss emergency funding requests, 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.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** announces a public meeting of the Guardianship Task Force to which all persons are invited.

DATES AND TIME: October 21-22, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Judicial Conference Room, Florida Supreme Court Building, 500 South Duval Street, Tallahassee, 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 approximately 9:45 a.m. both days. Written public testimony may be mailed: Guardianship Task Force, Statewide Public Guardianship Office, 4040 Esplanade Way, Suite 315M, Tallahassee, Florida 32399-7000, Faxed (850)414-2384, e-mailed: bayerlrm@elderaffairs.org.

Any person(s) 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 public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 28, 2004, 10:00 a.m. – 3:00 p.m.

PLACE: Miami Children's Hospital, 3100 S. W. 62nd Avenue, Miami, FL 33155

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, 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.

The **Division of Health**, Quality Assurance announces an exploratory meeting to which all interested persons are invited.
DATE AND TIME: Wednesday, November 3, 2004, 9:30 a.m. – 11:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Rooms D and E, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: SB 32-A, Section 17 requires the Agency, by December 31, 2004, to submit a report to the Legislature on the implementation of the Health Care Clinic Act and recommendations, if any, to further improve the automobile insurance market, reduce automobile insurance costs, and reduce automobile insurance fraud and abuse. The purpose of this meeting is to obtain input from stakeholders on issues affecting health care clinics and the implementation of Chapter 400, Part XIII, the Agency's health care clinic licensure statute. The Agency wishes to fill informational gaps in its knowledge of the responses of the industry, consumers, and insurers to the implementation of the legislation passed in 2003 and 2004. This meeting is not intended to address the merits of the law. Participation by all interested persons is encouraged.

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.

AGENDA: Open Meeting; Introductions; General Questions; Discussion of the Implementation Process; and Questions/Concerns Requiring Action.

CONTACT: Rebecca Knapp or Roger Bell, Agency for Health Care Administration, Division of Health Quality Assurance, (850)414-9796.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Technology Office** announces a public meeting of the Joint Task Force on State Agency Law Enforcement Communications to which all interested persons are invited.

DATE AND TIME: October 25, 2004, 9:30 a.m.

PLACE: Shared Resource Center (SRC), 2585 Shumard Oak Blvd., Room 124, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the items in the meeting agenda.

A copy of the agenda may be obtained by writing: Linda Fuchs, State Technology Office, 4030 Esplanade Way, Suite 280, Tallahassee, Florida 32399-0950, e-mail: linda.fuchs@myflorida.com.

If a person decided to appeal any decision made by the Joint Task Force with respect to any matter considered at the meeting, he/she will need a record of the proceedings and may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this hearing because of a physical impairment should call the State Technology Office, (850)922-7435, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the State Technology Office by using the Florida Relay Service, 1(800)955-8771 (TDD). The conference call number for the meeting is (850)921-6545 or Suncom 291-6545.

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: October 18-19, 2004, 8:30 a.m.

PLACE: Betty Easley Conference Center, Room 182, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing: State Retirement Commission, Department of Management Services, 4050 Esplanade Way, Suite 260, Tallahassee, Florida 32399-0950, (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service, 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meeting to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: October 27, 2004, 2:00 p.m. (Eastern Time)

PLACE: Access Phone (850)414-5775, Suncom 994-5775, Toll Free 1(888)461-8118

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATES AND TIME: October 26, 2004, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The Florida **Board of Pilot Commissioners** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: January 6, 2005, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee Meeting and Rules Committee Meeting immediately followed by Probable Cause Panel meeting, which portions may be closed to the public.

DATE AND TIME: January 7, 2005, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

PLACE: Wyndham Westshore Hotel, 4860 W. Kennedy Blvd., Tampa, FL

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-5012, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Engineers Management Corporation** announces a public meeting to conduct the business of the Operations Committee which all persons are invited.

DATE AND TIME: Thursday, October 21, 2004, 10:00 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Operations Committee.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Paul Martin, (850)521-0500.

NOTICE OF CANCELLATION – The Florida **Board of Professional Engineers** announces that the Probable Cause Panel meeting that was noticed for Wednesday, November 17, 2004 has been cancelled.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Paul Martin, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Thursday, November 18, 2004, 8:30 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Paul Martin, (850)521-0500.

The **Board of Accountancy**, Committee on Continuing Professional Education announces the following public meeting to which all persons are invited:

DATE AND TIME: Tuesday, December 7, 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 **Department of Business and Professional Regulation, Division of Real Estate** announces a meeting to which all persons are invited.

DATE AND TIME: October 27, 2004, 10:00 a.m. or soonest thereafter

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to review cases to determine probable cause regarding unlicensed activity.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation, Division of Real Estate** announces a meeting to which all persons are invited.

DATE AND TIME: October 28, 2004, 9:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Department – disciplinary proceedings regarding unlicensed activity.

If a person decides to appeal a decision made by the Department, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk of the Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

The Florida **Department of Juvenile Justice**, Juvenile Justice and Delinquency Prevention State Advisory Group announce a meeting.

DATES AND TIMES: November 18, 2004, 9:00 a.m. – 5:00 p.m.; November 19, 2004, 9:00 a.m. – 12:00 Noon

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the State Advisory Group.

A copy of the agenda and other specifics about the meeting may be obtained by calling: Michele Logan, Office of Research and Planning, (850)414-2239.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Department of Juvenile Justice, Office of Prevention and Victim Services, (850)488-3302, no later than (7) days prior to the meeting at which such special accommodation is required.

DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a meeting to which all persons are invited:

DATE AND TIME: October 28, 2004, 9:00 a.m. – 12:00 Noon

PLACE: Correctional Medical Authority Conference Room, 1632 Metropolitan Circle, Tallahassee, Florida 32308, (850)410-1450, 1(800)416-4254 (toll-free), 922-2903 (local), 292-2903 (Suncom)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B04, Tallahassee, FL 32399-1732, (850)410-1450.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a telephone conference call in which reconsiderations will be heard.

DATE AND TIME: October 22, 2004, 9:00 a.m. – 12:00 Noon

PLACE: Telephone Number (850)245-5725, Suncom 205-5725

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces an official Board meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: October 29, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202, (904)355-6664

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting. He/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771.

Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least a week in advance.

The Florida **Board of Medicine** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, November 3, 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, November 10, 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**, Finance Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Thursday, October 28, 2004, 9:00 a.m.

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 **Board of Nursing Home Administrators** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Thursday, November 4, 2004, 9:00 a.m.

PLACE: Hilton Garden Inn, 7300 August National Drive, Orlando, FL 32822, (407)240-3725

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: www.doh.state.fl.us/mqa/nurshome/nha_homehtml.

The **Department of Health, Board of Opticianry** announces an official Board meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: November 5, 2004, 9:00 a.m.

PLACE: Renaissance Ft. Lauderdale-Plantation Hotel, 1230 South Pine Island Rd., Plantation, FL 33324, (954)472-2252

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Opticianry 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include 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)955-8770 (Voice) and 1(800)955-8771 (TDD). Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to the meeting date.

The **Board of Orthotists and Prosthetists**, Probable Cause Panel will hold a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Thursday, November 4, 2004, 3:00 p.m.

PLACE: The Renaissance, 1230 South Pine Island Road, Ft. Lauderdale, FL 33324 (954)472-2251

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The **Board of Orthotists and Prosthetists** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, November 5, 2004, 9:00 a.m.

PLACE: The Renaissance Hotel, 1230 South Pine Island Road, Ft. Lauderdale, FL 33324, (954)472-2252

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: www.doh.state.fl.us/mqa/Orth&Pros/por_home.html.

The **Department of Health, Board of Pharmacy**, Automation in Institutional Settings Committee announces a public meeting to which all persons are invited.

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

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL, (813)819-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss SB 1294 and other general business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing: Garnet Keller, Program Administrator, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Podiatric Medicine** will hold a duly noticed telephone conference call to which all persons are invited to attend.

DATE AND TIME: Tuesday, October 26, 2004, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Bin #C07, Tallahassee, FL, Meet Me Number (850)487-9580

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257, website: www.doh.state.fl.us/mqa/podiatry/po_home.html.

The **Department of Health** announces the following change in the schedule of meetings of the Variance Review and Advisory Committee for Onsite Sewage Treatment and Disposal Systems. The original meeting was scheduled for the same date and time but in a different location.

DATE AND TIME: Thursday, November 4, 2004, 10:00

PLACE: Osceola County Administration Building, Conference Room 4727, 1 Courthouse Square, Kissimmee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To examine applications for variance from the requirements of Chapter 64E-6, Florida Administrative Code, entitled "Standards for Onsite Sewage Treatment and Disposal Systems" pursuant to Section 381.0065(3)(d), Florida Statutes.

A copy of the agenda may be obtained ten days prior to each meeting date by writing: Gerald R. Briggs, Chief, Bureau of Onsite Sewage Programs, Department of Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

Any person requiring a special accommodation at one of these meetings because of disability or physical impairment should contact Shirley Kugler, (850)245-4070, at least two weeks prior to the meeting.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Northwest Florida Community Based Care Alliance and the **Department of Children and Family Services**, Subdistrict 2A announce a meeting to which all persons are invited. The Alliance encompasses: Bay, Gulf, Washington, Holmes, Calhoun and Jackson counties.

DATE AND TIME: Thursday, October 21, 2004, 2:00 p.m. (CST)

PLACE: W. T. Neal Civic Center, 17773 North Pear Street, Blountstown, FL 32424, (850)674-4500

GENERAL SUBJECT MATTER TO BE CONSIDERED: General quarterly meeting to discuss child welfare for Subdistrict 2A.

A copy of the agenda can be obtained by calling: Anissa Pitti, Department of Children and Family Services, (850)922-0408 or Suncom 292-0408.

Anyone requiring a special accommodation to participate in this meeting is requested to advise District Administration (Anissa Pitti) at least 2 working days prior to the meeting at (850)922-0408 or 1(800)226-6223 (TDD).

The next meeting of the **Governor's Developmental Disabilities Blue Ribbon Task Force** will be held:

DATES AND TIMES: October 25, 2004, 9:00 a.m. – 5:00 p.m., Tuesday; October 26, 2004, 8:30 a.m. – 5:00 p.m.; Wednesday, October 27, 2004, 8:30 a.m. – 4:00 p.m.

PLACE: Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to continue work on the development of a recommended plan of action for expanding and improving inclusive community living options 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.

Any person requiring special accommodations is asked to advise the Task Force by contacting Sylvia Peacock, (850)414-7605, by October 20, 2004. If you are hearing or speech impaired, please call (850)922-4449 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

The **Affordable Housing Study Commission** announces a conference call.

DATE AND TIME: October 22, 2004, 2:00 p.m. – 4:00 p.m.

PLACE: Dial-in Information – (850)410-0960, Suncom 210-0960 (You must call the number above approximately one (1) minute prior to the actual call start time. It takes two callers to dial into the number to stop the ringing. As other participants call the number, a short busy signal will be heard before being connected.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss recommendations of waivers and modifications of certain federal programs related to assisting persons displaced from their homes due to hurricane activity.

For questions please contact: Rhanda Mckown, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: If you are hearing or speech impaired, please dial the conference call using the Florida Dual Party Relay System, (800)955-8013.

Notice is hereby given that the **Florida Housing Finance Corporation** (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

DATE AND TIME: Tuesday, October 26, 2004, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refund bonds previously issued to finance the following multifamily residential rental developments in the aggregate face amount, not to exceed the amounts listed below:

The Grand Reserve at Lee Vista (fka Grand Reserve/Antigua Club), a 338-unit multifamily residential rental development located at 6201 Bent Pine Drive, Orlando, Orange County, Florida 32822. The owner and operator of the development is Antigua Club Associates, Ltd., c/o LeCesse Development Corporation, 2221 Lee Road, Suite 28, Winter Park, Florida 32789, or such successor in interest in which Antigua Club Associates, Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The manager of the development is Cambridge Management Services Inc., 2221 Lee Road, Suite 28, Winter Park, Florida 32789. The total tax-exempt bond amount is not to exceed \$19,710,000.

The Grand Reserve at Maitland Park (fka Maitland Club), a 364-unit multifamily residential rental development located at 1939 Grand Isle Circle, Orlando, Orange County, Florida

32810. The owner and operator of the development is Pembroke Associates, Ltd., c/o LeCesse Development Corporation, 2221 Lee Road, Suite 28, Winter Park, Florida 32789, or such successor in interest in which Pembroke Associates, Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The manager of the development is Cambridge Management Services Inc., 2221 Lee Road, Suite 28, Winter Park, Florida 32789. The total tax-exempt bond amount is not to exceed \$19,575,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being re-financed. Written comments should be received by Florida Housing by 5:00pm (Tallahassee local time), Monday, October 25, 2004, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the properties are located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring special accommodations to attend this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** (“Florida Housing”) will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) to which all interested persons are invited.

DATE AND TIME: Tuesday, October 26, 2004, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refinance a portion of the costs of the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Hunter's Run Apartments, a 304-unit multifamily residential rental community located at 1535 Blanding Boulevard, Middleburg, Clay County, Florida 32068. The owner and operator of the development is Hunter's Run, Ltd., c/o Cornerstone Group Development, 2121 Ponce de Leon Boulevard, Penthouse, Coral Gables, Florida 33134, or such successor in interest in which Hunter's Run, Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The manager of the development is Cornerstone Residential Management, LLC, 2121 Ponce de Leon Boulevard, Penthouse, Coral Gables, Florida 33134. The total tax-exempt bond amount is not to exceed \$5,270,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development a portion of which may be refinanced. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), Monday, October 25, 2004, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, October 26, 2004, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to refinance a portion of

the costs of the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below: Mission Bay Apartments, a 360-unit multifamily residential rental community located at 1703 Mission Bay Circle, Rockledge, Brevard County, Florida 32955. The owner and operator of the development is Mission Bay Associates, Ltd., c/o Cornerstone Group Development, 2121 Ponce de Leon Boulevard, Penthouse, Coral Gables, Florida 33134, or such successor in interest in which Mission Bay Associates, Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The manager of the development is Cornerstone Residential Management, LLC, 2121 Ponce de Leon Boulevard, Penthouse, Coral Gables, Florida 33134. The total tax-exempt bond amount is not to exceed \$4,825,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development a portion of which may be refinanced. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), Monday, October 25, 2004, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, October 26, 2004, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Highland Lakes Apartments, a 116-unit multifamily residential rental development to be located on the west side of Sparta Road, 250 feet south of the intersection of Sparta Road and US Highway 27, Sebring, Highlands County, Florida 33875. The prospective owner and operator of the proposed development is Highland Lakes LLC, c/o The Richman Group of Florida, Inc., The Brandywine Centre I, 580 Village Boulevard, Suite 120, West Palm Beach, Florida 33409, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is WRMC, Inc. The total tax-exempt bond amount is not to exceed \$3,780,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00pm (Tallahassee local time), Monday, October 25, 2004, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

The **Florida Housing Finance Corporation** hereby gives notice of an additional public hearing on Proposed Rules 67-50, F.A.C., Homeownership Loan Program, to which all interested persons are invited to participate. The rules were originally published in Vol. 30, No. 24 of the Florida Administrative Weekly on June 11, 2004.

DATE AND TIME: Tuesday, November 9, 2004, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, Seltzer Conference Room, 227 North Bronough Street, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bridget Warring, Homeownership Loan Program Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301, (850)488-4197

Any person requiring special accommodation at this hearing because of a disability or physical impairment should contact Nicole Gibson at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Office of Insurance Regulation** announces a meeting to which all persons are invited:

DATE AND TIME: October 25, 2004, 1:00 p.m.

PLACE: Room 116, Larson Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Office of Insurance Regulation is holding a public workshop, to receive input from interested parties, concerning condominium association common elements insurance policies and to gather data to complete a study to evaluate current trends in these policies from the perspective of the condominium association and the condominium owners.

A copy of the agenda may be obtained by contacting: Lisa Miller, Deputy Director, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399, e-mail: millerl3@dfs.state.fl.us.

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

The **Department of Financial Services, Deferred Compensation Advisory Council** announces the following meeting to which all persons are invited.

DATE AND TIME: Friday, November 5, 2004, 9:00 a.m.

PLACE: The Hermitage Centre, Conference Room 415, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and general sessions meeting of the Council.

For more information about the meeting or a copy of the agenda contact: Kandi Winters, Chief of Deferred Compensation, 200 E Gaines Street, Tallahassee, Florida 32399-0346, (850)413-3400.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Insurance Trust**, an interlocal entity created pursuant to Fla. Sta. 768.28 and 163.01, announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, October 16, 2004, 9:00 a.m.

PLACE: Marriott World Center, 8701 World Center Drive, Orlando, Florida, (407)239-4200

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the proposed agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, 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 based.

ADVOCACY CENTER

The **Advocacy Center, Inc.**, Florida's Protection and Advocacy Programs will be holding their Annual/Quarterly Board of Director Joint meeting with the Protection and Advocacy for Individuals with Mental Illness Advisory Council (PAIMI Council):

DATES AND TIME: October 22-23, 2004, 3:00 p.m.

PLACE: Renaissance Vinoy Resort and Golf Club, 501 Fifth Avenue, N. E., Plaza A-B, St. Petersburg, Florida 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual/Quarterly Board of Director Joint meeting with the Protection and Advocacy for Individuals with Mental Illness Advisory Council (PAIMI Council):

For additional information, please contact: Dawn D. Williams, (850)488-9071, Ext. 218.

MID-FLORIDA AREA AGENCY ON AGING

The **Mid-Florida Area Agency on Aging, Inc. (MFAAA)** announces a public hearing to which all persons are invited to attend.

DATE AND TIME: November 1, 2004, 1:00 p.m.

PLACE: Florida Farm Bureau Auditorium, 5700 S. W. 34th Street, Gainesville, Florida 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Mid-Florida Area Agency on Aging, Inc. is holding a public hearing for the purpose of receiving public comment on the draft 2005 Area Plan on Aging. The Area Plan on Aging is the document through which the Mid-Florida Area Agency on Aging identifies the needs of elders living in North Central Florida and proposes to the Florida Department of Elder Affairs a plan for the distribution of public funds to address

those needs. The draft 2005 Area Plan on Aging will be posted on the Mid-Florida Area Agency on Aging website (<http://www.mfaaa.org>) on October 27, 2004.

Those wishing to speak at the public hearing or to obtain additional information should contact: Vidya R. Hogan, Mid-Florida Area Agency on Aging, Inc., 5700 S. W. 34th Street, Suite 222, Gainesville, FL 32608, (352)378-6649, e-mail: vhogan@mfaaa.org.

Any person requiring special accommodations to participate in this meeting is asked to advise the MFAAA at least 48 hours prior to the meeting by contacting, (352)378-6649.

SCRIPPS FLORIDA FUNDING CORPORATION

The Board of Directors of the **Scripps Florida Funding Corporation** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Friday, November 5, 2004, 2:00 p.m.

PLACE: Palm Beach County Commissioners' Chamber, Governmental Center, 301 North Olive Avenue, 6th Floor, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will: review a draft of the SFFC Annual Report due to the Governor and Legislature on 12/1, review a draft of the audit of SFFC, and hear a report from the Investment Committee.

The date, time, and/or place are subject to change. Please check

<http://www.myflorida.com/myflorida/government/governorinitiatives/ottd/index.html> for meeting date, time, place, and materials.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

**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 September 29, 2004, from CBS Builders Supply regarding whether Chapter 9B-72 or Chapter 9B-1, Fla. Admin. Code, allows for the installation of house wrap weatherization products on wood exterior walls intended for site built homes and constructed in a manufacturing plant.

It has been assigned the number DCA04-DEC-192.

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 October 4, 2004, from The Bilco Company regarding whether Rule 9B-72.005, Fla. Admin. Code, requires product approval of roof access hatches or roof scuttles.

It has been assigned the number DCA04-DEC-195.

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 September 30, 2004, from Unincorporated Palm Beach County -Building Division regarding whether a signed contract from a pest control operator satisfies Section 1816.1.7, Florida Building Code, requirements.

It has been assigned the number DCA04-DEC-194.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF CORRECTION – The Board of Veterinary Medicine provided notice of receipt of an amended petition for a declaratory statement from Craig H. Smith, Esquire on behalf of Dr. Jeffrey Philopot, Dr. Sherwood Cooper, Jr. and VetCentric, Inc., filed on July 20, 2004, in the August 6, 2004 issue of the Florida Administrative Weekly, Vol. 30, No. 32, on page 3232. The hearing date of September 28, 2004 that was published in the said notice, has been changed to October 26, 2004, at 8:00 a.m., or shortly thereafter, at the Colony Hotel, 155 Hammon Avenue, Palm Beach, Florida 33480. The telephone number of the Colony Hotel is: (561)655-5430.

With the exception of the foregoing change of hearing date, all other provisions of the original notice remain unchanged. The person to be contacted regarding the above change(s) is Juanita Chastain, Executive Director, Board of Veterinary Medicine, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0783.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**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:

Amec Civil, LLC vs. Department of Transportation; Case No.: 04-3252RU

St. John’s Rehabilitation Hospital and Nursing Center, Inc., d/b/a St. Johns Nursing Center vs. Agency for Health Care Administration; Case No.: 04-3490RU

Notice of Disposition of Petition for Administrative Determination have been filed by 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. (FVL) and People for the American Way Foundation vs. Department of State; Case No.: 04-2341RX; Rule No.: 1S-2.031(7); Invalid

Florida Public Employees Council 79, AFSCME, AFL-CIO and Leo Percy vs. Department of Revenue; Case No.: 04-1003RX; Rule No.: 12-3.011(8)(a)-(f); Dismissed

Autopilot Systems, Inc. vs. Department of Health; Case No.: 04-0540RX; Rule Nos.: 64E-9.007(16)(b), 64E-9.011(2)(g), (8)(c); Dismissed

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of planning, architecture, and engineering will be required for the project listed below:

Project No. UF-202

Project and Location: Nanoscience Institute for Medical & Engineering Technology (NIMET), Gainesville, Florida.

The new facility will include cleanroom, laboratory, office, and other space to support multi-disciplined research efforts in the nano-sciences. The scope of services shall include refinement and completion of the University's conceptual facilities program, including peer institution benchmarking; site analysis and selection; comprehensive design, including process engineering and coordination of selection of tools and equipment; and construction administration. The estimated construction budget is approximately \$27,000,000. The project will be delivered using the Construction Manager-At-Risk (CM) method. Basic LEED (Leadership in Energy and Environmental Design) accreditation by the US Green Building Council is mandatory. The design team shall include a LEED-accredited professional to facilitate and document this process.

The selected firm will provide programming, design, construction documents, and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,500,000, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the conceptual facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 40 single-sided pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, and other goals and considerations as outlined in the facilities program.
2. A completed "Professional Qualifications Supplement," using the project-specific version available at the UF Facilities Planning and Construction website. Applications on any other form will not be considered.
3. A copy of the applicant's and the consultants' current Professional Registration Certificate(s) from the appropriate governing board, LEED certification, and other pertinent credentials. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit seven (7) copies of this data, bound in the order listed above. Proposals that do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Submittals must be received in the UF Facilities Planning and Construction Division office by 3:00 p.m., local time, on Thursday, November 18, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction Division
 232 Stadium/P. O. Box 115050
 Gainesville, FL 32611-5050
 Telephone: (352)392-1256
 Fax: (352)392-6378

Internet: www.facilities.ufl.edu

Professional Qualifications Supplement forms and instructions, project information and selection criteria, and instructions for registering as an applicant will be available on the Facilities Planning and Construction Division website on or about October 25th.

NOTICE OF CORRECTION

Please note the corrected bid opening dates for the following two University of Florida Projects previously advertised on 10/1/04 in FAW.

05L-215, W/O #811141, Weil Chiller Plant – Mechanical, to be opened November 4, 2004, at 2:00 p.m. Local Time.

05L-216, W/O #811145, Weil Chiller Plant – Electrical, to be opened November 4, 2004, at 2:30 p.m. Local Time.

All questions should be directed to Moses & Associates, Inc., (352)372-1911.

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 05L-217, W/O #704234, M. Johnny Walker Building Roof Replacement, estimated budget: \$200,000 – \$225,000, to be opened November 9, 2004, at 2:00 p.m. Local Time. Scope of work: The work includes removing existing membrane roofing; flashing, roof top equipment, piping, conduit and wiring; providing new membrane roofing, flashings, fascia and soffit; and miscellaneous mechanical and electrical work at M. Johnny Walker Building, Bldg. 1603, 2006 N. Waldo Road, Gainesville, Florida. Specifications and Plans are available in the Physical Plant Architecture/Engineering office, Bldg. 700, Room 137, Radio Road, Gainesville, FL, Telephone (352)392-1405, Ext. 415. A Mandatory Pre-Bid Meeting will be held October 26, 2004, at 9:30 a.m. in the Physical Plant Division, Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. Roofing Contractor’s main office must be located within 100 miles of jobsite. All questions should be directed to Sonia Coleman, Purchasing Assistant, UF Purchasing (352)392-1331. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331 within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University Board of Trustees, announces that professional services for minor projects are required in the following disciplines(s):

Civil Engineer and Landscape Architect

Project and Location: Florida Gulf Coast University, Fort Myers, Florida

Minor projects are specific projects for parking and site improvements, permitting, environmental restoration and landscape architecture, that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$50,000 or less. Campus Service Contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming year, January 1-December 31.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attached to each letter of application:

1. A completed Board of Regents “Professional Qualification Supplement”, February 1999. Applications on any other form will not be considered.
2. A copy of the applicant’s current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit Five copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, will not be considered. Application information will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.017, Florida Statutes, a consultant may not submit a proposal for this project, if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained by contacting: Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565, Phone: (239)590-1500, Fax: (239)590-1505

Submittals must be received in the Facilities Planning Office by 3:00 p.m. local time on November 15, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University Board of Trustees, announces that professional services are required in the following disciplines(s):

Plans Review for Code Compliance and Construction Inspections

Project and Location: Florida Gulf Coast University, Fort Myers, Florida

Firms applying must have State of Florida license and/or SBCCI certified personnel on staff to perform plans review and construction inspections for building, structural, mechanical, electrical, and plumbing.

These services will be based on a negotiated fee schedule with each occurrence of service being authorized with a purchase order. Campus Service contracts provide that the consultant will be available on an as-needed basis. The term of agreement is for one year with the option to extend the agreement for one additional year.

Firms desiring to provide professional services shall apply in writing. Preference will be given to firms that are primarily in business of code compliance plans review and inspections. Preference will be given to firms whose personnel consist primarily of licensed and/or certified plan reviewers and inspectors. Proximity of location will be a prime factor in the selection of the firm.

Submit Five copies of the requested data bound in the order listed. Applications that do not comply with these instructions will not be considered. Application materials will not be returned.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project, if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained by contacting; Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565, Phone (239)590-1500, Fax: (239)590-1505

Submittals must be received in the Facilities Planning Office by 3:00 p.m. local time on November 15, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

New College of Florida, announces that professional services are required for the project listed below.

PROJECT NUMBER: NCF-01

PROJECT NAME: New Dormitory, New College of Florida, Sarasota, Florida

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: \$7,100,000

RESPONSE DUE DATE: By 4:00 p.m., November 12, 2004, Local Time

Proposals are to be sent to Mr. Ken Perlowski, Director, Facilities Planning and Construction, 5700 N. Tamiami Trail, PHS 104, Sarasota, FL 34243, Phone (941)359-4690.

INSTRUCTIONS: Submit three (3) bound copies of the following:

1. Letter of interest.
2. The most recent version of the Board of Regents "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
3. A copy of the applicant's current Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 254.
6. Completed Standard Form 255.
 - o In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.
 - o Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of New College of Florida, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 6C-14, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

The selected firm or firms will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However they will be exempt from the one percent fee.

**NOTICE TO PROFESSIONAL CONSULTANTS
FOR
Request for Qualifications (RFQ)
Professional Services
Architect/Engineering Services**

The Office of Facilities Design and Construction announces that Architect/Engineer services are required for a project entitled First Coast High School No. 265-16 Classroom Addition/DCSB Project No. C-91050 for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost budgeted not to exceed \$4,160,000. The project scope shall consist of all architecture, engineering, permitting and construction administration for a

sixteen (16) classroom, 2 story building to match the existing campus. The building will include ten (10) regular classrooms, six (6) science classrooms/labs, restrooms, and associated support facilities.

Applications are to be sent to:

Duval County Public Schools
 Facilities Design and Construction
 1701 Prudential Drive, 5th Floor
 Jacksonville, FL 32207-8182

PROJECT MANAGER: David E. Shultz

PHONE NO.: (904)390-2279

RESPONSE DUE DATE: RFQ's ARE DUE ON OR BEFORE NOVEMBER 16, 2004

AND WILL BE ACCEPTED UNTIL 4:30 P.M.

MBE GOALS: 25% Overall

Information on the selection process can be found at www.educationcentral.org/facilities under Forms and Standards, General Documents, Selection of Architect/Engineer.

Applicants are advised that all plans, drawings and specifications for this project may be reused by the Owner as a prototype for future projects in the District.

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

NOTICE TO PROFESSIONAL CONSULTANTS
 REQUEST FOR QUALIFICATIONS (RFQL) AE 008
 PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
 ARCHITECTURAL/ENGINEERING SERVICES

The State of Florida, Department of Corrections, Bureau of Procurement and Supply, announces that Professional Services are required from Architectural/Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of Lynda McCallum, Bureau of Procurement and Supply, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The selected firms may be required to perform services on an accelerated schedule.

PROJECT: Provide Professional Architectural/Engineering Services to design the site work, environmental permitting and utilities for an approximately 2,000 Bed Annex adjacent to the Wakulla Correctional Institution. Scope of work includes design, environmental permitting and construction administration of the associated site work and utilities. The

work may include additional architectural support to the Department such as adapting building designs to the site conditions and providing contract administration services.

PROJECT LOCATION: Wakulla Correctional Institution, Crawfordville, Florida

PROJECT NUMBER: CH-56 (ST)

ESTIMATED CONSTRUCTION COST: \$9,800,000

PROJECT ADMINISTRATOR: Ken Johnson

INSTRUCTIONS:

Any firm desiring to provide professional services for this project shall apply for consideration by submitting the following documents in a sealed envelope:

1. A Letter of Interest, indicating within the body of the letter the firm's specific abilities respective to the particular project's requirements and established office location(s) from which the firm will be doing the work. Office(s) shall have been established for a minimum of six months prior to submission of a Letter of Interest. A Business/Occupational License indicating the office's address and bearing a date of issue must be submitted.
2. A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated September 2004) with current data. The PQS is posted as a related document for printing on the Vendor Bid System under this solicitation at the following website address: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteria_form.
3. A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida and all fees and filings must be current. Firms may be requested to submit a copy of their charter at the Department's discretion.
4. Attach a current copy of the SF254 and SF255, for the office(s) that will be performing the work. Ensure that SF255, Section 8, contains at least three (3) other clients for whom similar services have been performed within the last five (5) years.
5. Evidence of professional liability insurance in the amount of at least \$1,000,000.
6. If desired, additional examples of similar projects completed by persons to be assigned to this project, references and any other supporting information.

Submit six (6) copies of the required information above, with one packet containing an original Letter of Interest. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Submittals that do not comply with the instructions set forth above may be considered non-responsive.

SPECIAL NOTE: The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, (“Consultants’ Competitive Negotiation Act”).

RESPONSE DATE: November 15, 2004 by 4:00 p.m. Late submittals will not be opened or considered.

SELECTION PROCESS:

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this RFQ. Interviews of all ranked respondents may or may not be required, at the direction of the Committee. Under the authority delegated to the Secretary of the Department of Corrections by Florida Statute 287.055, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to a single firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation procedures. All firms responding to this RFQ will be notified by a single posting after approval of the Secretary through the following website address: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteria_form. It is the firm’s responsibility to check the website for updated information.

**NOTICE TO PROFESSIONAL CONSULTANTS
REQUEST FOR QUALIFICATIONS (RFQ) AE 007
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
ARCHITECTURAL/ENGINEERING SERVICES**

The State of Florida, Department of Corrections, Bureau of Procurement and Supply, announces that Professional Services are required from Architectural/Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of Lynda McCallum, Bureau of Procurement and Supply, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The selected firms may be required to perform services on an accelerated schedule.

PROJECT: Provide Professional Architectural/Engineering Services to design the site work, environmental permitting and utilities for an approximately 2,000 Bed institution, 2,000 Bed Annex and 260 Bed Work Camp and ancillary buildings. Scope of work includes design, environmental permitting and construction administration of the associated site work and utilities. This project will be funded and constructed in phases. The initial design will be for the Institution only, but will include master planning and permitting for the entire complex. Design of the Annex and Work Camp will be negotiated and contracted at a later date based on funding. The project may include additional architectural support to the Department such as adapting building designs to the site conditions and providing contract administration services.

PROJECT LOCATION: Suwannee Correctional Institution, Live Oak, Florida

PROJECT NUMBER: CH- 54 (ST)

ESTIMATED SITE WORK, UTILITIES AND PERMITTING COST: Phase I – \$18,000,000; Phase – II \$9,800,000; Phase III – \$4,000,000

PROJECT ADMINISTRATOR: Roger Mason

INSTRUCTIONS:

Any firm desiring to provide professional services for this project shall apply for consideration by submitting the following documents in a sealed envelope:

1. A Letter of Interest, indicating within the body of the letter the firm’s specific abilities respective to the particular project’s requirements and established office locations(s) from which the firm will be doing the work. Offices shall have been established for a minimum of six months prior to submitting a Letter of Interest. A Business/Occupational License indicating the office’s address and bearing a date of issue must be submitted.
2. A copy of the Department of Corrections’ current “Professional Qualifications Supplement” (PQS) (dated September 2004) with current data. The PQS is posted as a related document for printing on the Vendor Bid System under this solicitation at the following website address: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteria_form.
3. A reproduction of the firm’s current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida and all fees and filings must be current. Firms may be requested to submit a copy of their charter at the Department’s discretion.
4. Attach a current copy of the SF254 and SF255, for the office(s) that will be performing the work. Ensure that SF255, Section 8, contains at least three (3) other clients for whom similar services have been performed within the last five (5) years.
5. Evidence of professional liability insurance in the amount of at least \$1,000,000.
6. If desired, additional examples of similar projects completed by persons to be assigned to this project, references and any other supporting information.

Submit six (6) copies of the required information above, with one packet containing an original Letter of Interest. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Submittals that do not comply with the instructions set forth above may be considered non-responsive.

SPECIAL NOTE: The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, (“Consultants’ Competitive Negotiation Act”).

RESPONSE DATE: November 15, 2004 by 4:00 p.m. Late submittals will not be opened or considered.

SELECTION PROCESS:

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this RFQ. Interviews of all ranked respondents may or may not be required, at the direction of the Committee. Under the authority delegated to the Secretary of the Department of Corrections by Florida Statute 287.055, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to a single firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation procedures. All firms responding to this RFQ will be notified by a single posting after the approval of the Secretary through the following website address: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteria_form. It is the firm's responsibility to check the website for updated information.

METROPOLITAN PLANNING ORGANIZATIONS**NOTICE TO PROFESSIONAL TRANSPORTATION PLANNING CONSULTANTS**

PURPOSE: Pursuant to law and regulations, the Pinellas County Metropolitan Planning Organization (MPO) in conjunction with the Florida Department of Transportation, hereinafter referred to as the Department, request that qualified consultants submit Letters of Response for consideration in the competitive selection of professional transportation planning services on the following project:

MAJOR TYPE OF WORK:

1. Surveillance Activities.
2. Project Planning.
3. Regional Planning.

PROJECT: Surveillance activities include land use and socioeconomic data collection, transportation system monitoring, transportation database management, and monitoring of fiscal resources and legislative matters.

Project planning includes financial planning, major investment and corridor studies, congestion management systems planning, including intelligent transportation systems (ITS) and automated transportation management systems (ATMS), air quality planning, bicycle and pedestrian planning, transit services planning, transportation disadvantaged planning, impact fee and trip characteristics studies, traffic circulation studies, studies and planning activity associated with the development and maintenance of the Long Range Transportation Plan and the provision of technical assistance to local governments and Comprehensive Plan coordination to local governments.

Regional planning includes projects associated with the coordination of regional long range transportation plans and other regional plans and initiatives affecting the Tampa Bay area. This category also includes projects associated with the

MPO's participation in regional and statewide activities and organization that have an impact on the region's multi-modal transportation system.

SELECTION PROCEDURE: All respondents will be evaluated in accordance with Section 287.055 Florida Statutes, and must be determined by the Metropolitan Planning Organization and the Department to be qualified to do business in Florida and qualified to perform the advertised work requirements. The above project falls into the selection process so indicated in Chapter 14-75, Florida Administrative Code, wherein at least three (3) firms will be requested to submit technical proposals. The contract fee will be negotiated in accordance with Section 287.055, Florida Statutes.

SUBCONSULTANT OPPORTUNITY: Subconsultants that are not pre-qualified by the Department shall be subject to compensation restrictions as specified in Chapter 14-75, Florida Administrative Code. Any such subconsultant utilized must be technically qualified by District Seven before work may commence.

NOTIFICATION OF CRIME CONVICTION: Each applicant shall notify the Department within 30 days after a conviction of a contract crime applicable to it or any officers, directors, executive, shareholders active in management, employees or agents of its affiliates. Under Section 337.164, Florida Statutes, the privilege of conducting business with the Department shall be denied to applicants so convicted until such applicant is properly reinstated pursuant to Section 337.165, Florida Statutes, and Chapter 14-75, Florida Administrative Code.

FEDERAL DEBARMENT: By signing and submitting a Letter of Response/Proposal the consultant certifies that no principal (which includes officers, directors or executives) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation on this transaction by any Federal Department or Agency.

RESPONSE PROCEDURE: Consultants who are interested in these projects may obtain a copy of the Scope of Services outlined by contacting David McDonald at (727)464-8200. Consultants are required to submit a Letter of Response to the Pinellas County Metropolitan Planning Organization indicating their desire to be considered for these projects. The letter must be brief (no more than two pages) and should as a minimum, include the following information:

1. Name and Address of Firm.
2. Contact person for the project and telephone number.
3. Key personnel and their titles and/or classification (do not include resumes).
4. Subconsultant that may be used for the project.
5. Relevant past experiences.
6. Name(s) of DBE-Certified subconsultants that may be used for the project, if any.

SHORTLIST SELECTION PROCESS: From the Letters of Response received, the MPO shall shortlist a minimum of three (3) firms. Shortlist selection consideration will be given only to

those firms who are qualified pursuant to law and who have been pre-qualified by the Department to perform the indicated Type of Work. Any Firm who has not been qualified by the Department and would like to be considered for this project must complete a Request for Qualification Package from Procurement Office in Tallahassee, (850)414-4485, by the response deadline.

REQUESTING UNITS: The Pinellas County MPO and FDOT – District VII, Tampa

LETTERS OF RESPONSE ADDRESS:

Three (3) copies to:

Pinellas County Metropolitan Planning Organization
Attention: David McDonald, Program Planner
600 Cleveland Street, Suite 700
Clearwater, Florida 33755
Telephone: (727)464-8200

One (1) Copy To:

Florida Department of Transportation
District VII
Tampa, Florida
Attention: Rebecca Schwarz, MS 7-700
Consultant Contract Administrator
11201 North McKinley Drive
Tampa, Florida 33612-6403
Telephone: (813)675-6469

LETTER OF RESPONSE DEADLINE: 5:00 p.m. (EST),
October 28, 2004

DEPARTMENT OF MANAGEMENT SERVICES

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL ARCHITECTURAL SERVICES

FOR CONTINUING AREA CONTRACTS AREA 1

The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction requests qualifications from Architectural firms to provide services in Area 1, counties of Bay, Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, Washington, and other counties as may be determined necessary by the owner.

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Facilities Management and Building Construction." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO CONTRACTORS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Florida Statutes 287.055, letters of interest from Contractors desiring to render services for the following project:

DEMOLITION CONTRACTORS FOR PROPERTY ACQUISITION PROGRAM (PREQUALIFICATION)

HCAA PROJECT NO. 6000

Under this agreement the Contractors may be tasked to perform demolition of structures, pavements and septic tanks; leveling and grading; locating and securing utilities; seeding and mulching; asbestos abatement and removal, transportation, and disposal of above ground and underground fuel storage tanks and hazardous materials. This is a multi-year contract. A more detailed scope of services will be included in the formal request for qualifications (RFQ).

Qualified Contractors desiring consideration to provide these services should give written notification in the form of a letter of interest to: Dan Noettl, Manager, Planning and Development, Hillsborough County Aviation Authority, Post Office Box 22287, Tampa, Florida 33622. The letters of interest must be received at or before 5:00 p.m. local time, Monday, October 18, 2004.

Additional information is available on the Authority's website at www.tampaairport.com; Quick Links, Airport Business, Request for Qualification/Proposal (RFQ/RFP).

SUNSHINE STATE ONE-CALL OF FLORIDA

Sunshine State One-Call of Florida, Inc. (SSOCOF) invites qualified Information Technology (IT) audit firms to submit proposals for the performance of an examination of its Technical Operations Department. The purpose of this examination is to express an opinion on the operational adequacy of the information technology utilized by SSOCOF to accomplish its primary mission of receiving proposed excavation information from the public and transmitting this information efficiently and effectively to the owners and operators of underground utility facilities located in the State of Florida in accordance with the requirements of the "Underground Facility Damage Prevention and Safety Act", Chapter 556, Florida Statutes and generally accepted damage prevention industry IT standards as recommended in the Common Ground Alliance Best Practices Version 1.0 report. For more information please refer to our web site at www.callsunshine.com

Section XII Miscellaneous

DEPARTMENT OF REVENUE

NOTICE OF ADOPTION OF COMMUNICATIONS SERVICES TAX ADDRESS/JURISDICTION DATABASE

Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic situsing database that assigns customer service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the database, as posted on October 3, 2004, becomes effective on January 1, 2005. The situsing database can be accessed at <http://geotax.state.fl.us>. The next update to the database will be effective July 1, 2005, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the July 1, 2005, update no later than March 3, 2005. Additional information concerning procedures for requesting changes and additions to the database is available from the Department of Revenue Communications Services Tax Local Government Unit at: Phone (850)921-9181, Suncom 291-9181, e-mail: cs-tax@dor.state.fl.us. Hearing and speech-impaired persons may call the TDD line at 1(800)367-8331 or (850)922-1115, Suncom 292-1115.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Bayflite 1 Satellite Base, a private airport, in Pasco County, at Latitude 28° 11' 18" and Longitude 082° 37' 37", to be owned and operated by Mr. Jeffery See, 701 Sixth Street South, St. Petersburg, FL 33701.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500; aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida

Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, American Honda Motor Co., Inc. ("American Honda"), intends to allow the establishment of Suncoast Imports, LLC d/b/a Venice Honda, as a dealership for the sale of Honda automobiles and light trucks, at 985 U.S. Highway 41 Bypass, South, Venice (Sarasota County), Florida 34292, on or after January 1, 2005.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Imports, LLC d/b/a Venice Honda are dealer operator: Jesus A. Rosario, 1111 East Highway 50, Clermont, Florida 32431; principal investor(s): Jesus A. Rosario, 1111 East Highway 50, Clermont, Florida 32431.

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: William Green, American Honda Motor Co., Inc., Market Planning Manager, 1900 Torrance Boulevard, Torrance, California 90501.

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, American Honda Motor Co., Inc. (American Honda™), intends to allow the relocation of B.O.O., Inc., d/b/a Acura of South Florida, as a dealership for the sale and service of new Acura motor vehicles, from its current location at 3801 South State Road 7, Hollywood, Florida 33023, to a proposed location in Pembroke Pines, Broward County, Florida, on the north side of Pines Boulevard, approximately 0.8 miles west of the intersection of Pines Boulevard and Interstate 75, in Broward County, Florida, as described below.

The legal description of the proposed location is: a portion of Parcel A of Pembroke Pines Regional Shopping Center according to Plat thereof as recorded in Plat Book 149, Page 12 of the public records of Broward County, Florida, being more particularly described as follows: beginning at the southeast corner of said Parcel A; thence along the south line of said Parcel A, south 89 degrees, 25 minutes 2 seconds west 526.74 feet; thence along a line parallel with the east line of said Parcel A north 00 degrees, 34 minutes, 58 seconds west 467.26 feet; thence along a line parallel with the south line of said Parcel A south 89 degrees 25 minutes 2 seconds west 85.00 feet; thence along a line parallel with the east line of said Parcel A, a distance of 310.88 feet to an intersection with a line parallel with and 778.13 feet north of the south line of said Parcel A; thence along said parallel line north 89 degrees, 25 minutes, 2 seconds east 611.74 to an intersection with the east line of said Parcel A; thence along said east line south 0 degrees, 34 minutes 58 seconds east 778.13 feet to the point of beginning. The proposed dealership will open on or after January 1, 2005.

The name and address of the dealer operator and principal investor of B. O. O. Inc., d/b/a Acura of South Florida is Craig Zinn, 945 Hillsboro Mile, Hillsboro Beach, Florida 33062. The first principal investor of B. O. O. Inc., d/b/a Acura of South Florida is Amazinn, LLC, a Delaware limited liability company, 2300 State Road 7, Hollywood, Florida 33021. Craig Zinn is the managing member and sole owner of the equity interest of Amazinn, LLC.

The second principal investor of B. O. O., Inc. d/b/a Acura of South Florida is Richard Brooks, 900 Saw Pit Trace, Woodruff, South Carolina 29388. William Lehman, 21400 NW 2d Avenue, Miami, Florida, asserts a claim of ownership with respect to Mr. Brooks' ownership. This claim is currently in litigation.

The third principal investor of B. O. O., Inc., d/b/a Acura of South Florida is the Estate of John Wentling, Thomas H. Connors, Personal Representative. Mr. Connors' address is 2964 Aviation Avenue, Suite 300, Miami, Florida 33133. The primary beneficiary of the Estate of John Wentling is the Revocable Living Trust of John Wentling. The trustee of this

trust is Thomas H. Connors. The primary beneficiary of the trust is Michelle Wentling, 20236 S. W. 51st Court, Pembroke Pines, Florida 33332. William Lehman, 21400 NW 2d Avenue, Miami, Florida, asserts a claim of ownership with respect to the ownership of the Estate of John Wentling. This claim is currently in litigation.

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: William Green, Market Planning Manager, 1900 Torrance Boulevard, Torrance, California 90501.

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, Viper Motorcycle Company, intends to allow the establishment of Bottom Line Operations, Inc. d/b/a Iron Force Cycles, as a dealership for the sale of Viper Motorcycles, at 6051 North Washington Boulevard, (301) Sarasota (Sarasota County), Florida 34243, on or after September 27, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Bottom Line Operations, Inc. d/b/a Iron Force Cycles are dealer operator: Donald Smith, 517 Albee Road West, Nokomis, Florida 34275; principal investor(s): Donald Smith, 517 Albee Road West, Nokomis, Florida 34275.

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: Terry L. Nesbitt, Vice President Sales/ Marketing, Viper Motorcycle Company, 5733 International Parkway, New Hope, Minnesota 55428.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

Notice of 2004-2005 Maximum Account Balance Limit
Florida Prepaid College Plan and Florida
College Investment Plan

The Florida Prepaid College Board hereby gives notice that the maximum account balance limit for the Florida Prepaid College Plan and for the Florida College Investment Plan is \$287,000 for the period November 3, 2004 until November 2, 2005, or until subsequently revised by the Board. The redemption value of an advance payment contract under the Florida Prepaid College Plan, plus the account balance of an account in the Florida College Investment Plan, for the same beneficiary may not exceed the maximum account balance limit.

Notice of 2004-2005 Administrative Fee for the
Florida College Investment Plan

The Florida Prepaid College Board hereby gives notice that the administrative fee applicable to accounts in the Florida College Investment Plan is 3/4 of 1% (0.0075 or 75 basis points) of the account balance for the period November 3, 2004 until November 2, 2005, or until subsequently revised by the Board.

Notice of 2004-2005 Contract Filing and
Payment Due Dates for the
Florida Prepaid College Plan

The Florida Prepaid College Board hereby gives notice that the enrollment period and contract filing dates for the 2004-2005 year are as follows for the Florida Prepaid College Plan:

October 18, 2004 – Beginning of 2004-2005 enrollment period.

January 31, 2005 – Last day of 2004-2005 enrollment period.

March 31, 2005 – Last day of contract change period.

Purchasers of Florida Prepaid College Plan advance payment contracts must have their application postmarked on or before January 31, 2005. All applications must be submitted to the following address: Florida Prepaid College Board, P. O. Box 6448, Tallahassee, Florida 32314-6448.

Applications for the Florida Prepaid College Plan must include one of the following non-refundable application fees:

\$80, if the application is for the Florida Prepaid College Plan and the Florida College Investment Plan.

\$50, if the application is only for the Florida Prepaid College Plan.

\$30, if the purchaser named on the application has a Florida College Investment Plan for the same beneficiary.

Payments for the Florida Prepaid College Plan

For Florida Prepaid College Plan applications received during the 2004-2005 enrollment period, payments may be made under any one of the following schedules:

- (a) Lump-sum payments due in full on April 20, 2004;
- (b) Monthly payments, beginning on April 20, 2004, and due on the 20th of each and every month thereafter until October of the anticipated enrollment year of the qualified beneficiary, as indicated on the application; or
- (c) Fifty-five (55) month payment option beginning on April 20, 2005, and due on the 20th of each and every month thereafter for 55 continuous months.

An implied interest rate of 5.3 percent (weighted average using spot yield curve based on the July 31, 2003 U.S. Treasury curve) for the purchasers of the Florida Prepaid College Plan advance payment contracts during the 2004-2005 enrollment period has been calculated for the installment payment plans indicated above.

Persons whose substantial interests are affected by the 2004-2005 notice on contract filing and payment due dates may request an administrative hearing within 21 days of publication of this notice pursuant to Chapter 120, F.S.

Notice of 2004-2005 Florida Prepaid College Plan
Advance Payment Contract Prices

The Florida Prepaid College Board hereby gives notice of the adoption at a duly called meeting on October 5, 2004 of the 2004-2005 advance payment contract prices for the Florida Prepaid College Plan.

PREPAID PLAN TUITION CONTRACT
 FOUR YEAR STATE UNIVERSITY
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$10,151.53	\$1,459.68	
11	2006	\$10,361.02	\$558.02	
10	2007	\$10,498.36	\$353.49	
9	2008	\$10,591.51	\$262.78	
8	2009	\$10,645.53	\$211.42	\$211.42
7	2010	\$10,674.81	\$178.39	\$212.00
6	2011	\$10,680.27	\$155.32	\$212.11
5	2012	\$10,669.01	\$138.32	\$211.89
4	2013	\$10,638.42	\$125.19	\$211.28
3	2014	\$10,590.88	\$114.73	\$210.34
2	2015	\$10,532.73	\$106.22	\$209.18
1	2016	\$10,468.09	\$99.19	\$207.90
K	2017	\$10,412.73	\$93.41	\$206.80
Age 4	2018	\$10,371.80	\$88.65	\$205.99
Age 3	2019	\$10,336.59	\$84.64	\$205.29
Age 2	2020	\$10,321.73	\$81.32	\$204.99
Age 1	2021	\$10,311.58	\$78.47	\$204.79
Infant	2022	\$10,314.44	\$76.07	\$204.85
Newborn	2023	\$10,330.32	\$74.05	\$205.16

PREPAID PLAN TUITION CONTRACT
 TWO YEAR COMMUNITY COLLEGE PLUS TWO YEARS STATE UNIVERSITY
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$8,630.38	\$1,240.95	
11	2006	\$8,758.81	\$471.73	
10	2007	\$8,840.33	\$297.66	
9	2008	\$8,884.97	\$220.44	
8	2009	\$8,897.73	\$176.71	\$176.71
7	2010	\$8,891.98	\$148.60	\$176.60
6	2011	\$8,867.64	\$128.96	\$176.11
5	2012	\$8,828.53	\$114.46	\$175.34
4	2013	\$8,773.14	\$103.24	\$174.24
3	2014	\$8,705.04	\$94.30	\$172.88
2	2015	\$8,630.67	\$87.04	\$171.41
1	2016	\$8,552.27	\$81.04	\$169.85
K	2017	\$8,483.48	\$76.10	\$168.48
Age 4	2018	\$8,429.93	\$72.06	\$167.42
Age 3	2019	\$8,379.25	\$68.61	\$166.41
Age 2	2020	\$8,343.46	\$65.74	\$165.70
Age 1	2021	\$8,313.87	\$63.27	\$165.12
Infant	2022	\$8,295.56	\$61.18	\$164.75
Newborn	2023	\$8,287.45	\$59.41	\$164.59

PREPAID PLAN TUITION CONTRACT
 COMMUNITY COLLEGE – TWO YEARS
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$3,437.47	\$494.27	
11	2006	\$3,497.85	\$188.39	
10	2007	\$3,534.88	\$119.02	
9	2008	\$3,554.42	\$88.19	
8	2009	\$3,557.64	\$70.66	\$70.66
7	2010	\$3,547.73	\$59.29	\$70.46
6	2011	\$3,527.47	\$51.30	\$70.06
5	2012	\$3,503.78	\$45.42	\$69.59
4	2013	\$3,474.90	\$40.89	\$69.01
3	2014	\$3,438.92	\$37.25	\$68.30
2	2015	\$3,396.18	\$34.25	\$67.45
1	2016	\$3,350.30	\$31.75	\$66.54
K	2017	\$3,305.23	\$29.65	\$65.64
Age 4	2018	\$3,260.09	\$27.87	\$64.75
Age 3	2019	\$3,220.90	\$26.37	\$63.97
Age 2	2020	\$3,191.57	\$25.15	\$63.39
Age 1	2021	\$3,160.64	\$24.05	\$62.77
Infant	2022	\$3,133.01	\$23.11	\$62.22
Newborn	2023	\$3,110.36	\$22.30	\$61.77

PREPAID PLAN TUITION CONTRACT
 TWO-YEAR COMMUNITY COLLEGE
 FOUNDATION SCHOLARSHIP PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$4,124.96	\$593.12	
11	2006	\$4,197.42	\$226.06	
10	2007	\$4,241.86	\$142.83	
9	2008	\$4,265.30	\$105.82	
8	2009	\$4,269.17	\$84.79	\$84.79
7	2010	\$4,257.28	\$71.14	\$84.55
6	2011	\$4,232.96	\$61.56	\$84.07
5	2012	\$4,204.53	\$54.51	\$83.50
4	2013	\$4,169.88	\$49.07	\$82.81
3	2014	\$4,126.70	\$44.70	\$81.96
2	2015	\$4,075.42	\$41.10	\$80.94
1	2016	\$4,020.37	\$38.09	\$79.85
K	2017	\$3,966.28	\$35.58	\$78.77
Age 4	2018	\$3,912.11	\$33.44	\$77.70
Age 3	2019	\$3,865.08	\$31.65	\$76.76
Age 2	2020	\$3,829.88	\$30.17	\$76.06
Age 1	2021	\$3,792.77	\$28.86	\$75.33
Infant	2022	\$3,759.61	\$27.73	\$74.67
Newborn	2023	\$3,732.43	\$26.76	\$74.13

PREPAID LOCAL FEE CONTRACT
 FOUR-YEAR STATE UNIVERSITY
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$2,893.62	\$416.07	
11	2006	\$2,926.78	\$157.63	
10	2007	\$2,943.49	\$99.11	
9	2008	\$2,947.49	\$73.13	
8	2009	\$2,940.42	\$58.40	\$58.40
7	2010	\$2,926.47	\$48.91	\$58.12
6	2011	\$2,906.08	\$42.26	\$57.72
5	2012	\$2,881.31	\$37.35	\$57.22
4	2013	\$2,851.59	\$33.56	\$56.63
3	2014	\$2,817.62	\$30.52	\$55.96
2	2015	\$2,781.18	\$28.05	\$55.24
1	2016	\$2,743.40	\$25.99	\$54.48
K	2017	\$2,708.43	\$24.30	\$53.79
Age 4	2018	\$2,677.53	\$22.89	\$53.18
Age 3	2019	\$2,648.43	\$21.69	\$52.60
Age 2	2020	\$2,624.78	\$20.68	\$52.13
Age 1	2021	\$2,602.55	\$19.81	\$51.69
Infant	2022	\$2,583.72	\$19.06	\$51.31
Newborn	2023	\$2,568.30	\$18.41	\$51.01

PREPAID LOCAL FEE CONTRACT
 TWO YEAR COMMUNITY COLLEGE PLUS TWO-YEAR STATE UNIVERSITY
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$1,792.71	\$257.77	
11	2006	\$1,806.53	\$97.30	
10	2007	\$1,811.38	\$60.99	
9	2008	\$1,809.12	\$44.89	
8	2009	\$1,801.01	\$35.77	\$35.77
7	2010	\$1,790.24	\$29.92	\$35.55
6	2011	\$1,776.34	\$25.83	\$35.28
5	2012	\$1,759.16	\$22.81	\$34.94
4	2013	\$1,738.69	\$20.46	\$34.53
3	2014	\$1,716.24	\$18.59	\$34.09
2	2015	\$1,693.49	\$17.08	\$33.63
1	2016	\$1,670.41	\$15.83	\$33.17
K	2017	\$1,649.87	\$14.80	\$32.77
Age 4	2018	\$1,633.42	\$13.96	\$32.44
Age 3	2019	\$1,616.87	\$13.24	\$32.11
Age 2	2020	\$1,602.62	\$12.63	\$31.83
Age 1	2021	\$1,590.30	\$12.10	\$31.58
Infant	2022	\$1,580.31	\$11.66	\$31.39
Newborn	2023	\$1,572.15	\$11.27	\$31.22

PREPAID PLAN LOCAL FEE CONTRACT
 TWO-YEAR COMMUNITY COLLEGE
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$325.68	\$46.83	
11	2006	\$331.40	\$17.85	
10	2007	\$334.91	\$11.28	
9	2008	\$336.76	\$8.36	
8	2009	\$337.07	\$6.69	\$6.69
7	2010	\$336.13	\$5.62	\$6.68
6	2011	\$334.21	\$4.86	\$6.64
5	2012	\$331.96	\$4.30	\$6.59
4	2013	\$329.23	\$3.87	\$6.54
3	2014	\$325.82	\$3.53	\$6.47
2	2015	\$321.77	\$3.24	\$6.39
1	2016	\$317.42	\$3.01	\$6.30
K	2017	\$313.15	\$2.81	\$6.22
Age 4	2018	\$308.88	\$2.64	\$6.13
Age 3	2019	\$305.16	\$2.50	\$6.06
Age 2	2020	\$302.38	\$2.38	\$6.01
Age 1	2021	\$299.45	\$2.28	\$5.95
Infant	2022	\$296.84	\$2.19	\$5.90
Newborn	2023	\$294.69	\$2.11	\$5.85

PREPAID PLAN LOCAL FEE CONTRACT
 TWO-YEAR COMMUNITY COLLEGE
 FOUNDATION SCHOLARSHIP PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$390.82	\$56.20	
11	2006	\$397.68	\$21.42	
10	2007	\$401.89	\$13.53	
9	2008	\$404.11	\$10.03	
8	2009	\$404.48	\$8.03	\$8.03
7	2010	\$403.35	\$6.74	\$8.01
6	2011	\$401.05	\$5.83	\$7.96
5	2012	\$398.36	\$5.16	\$7.91
4	2013	\$395.07	\$4.65	\$7.85
3	2014	\$390.98	\$4.24	\$7.77
2	2015	\$386.12	\$3.89	\$7.67
1	2016	\$380.91	\$3.61	\$7.56
K	2017	\$375.78	\$3.37	\$7.46
Age 4	2018	\$370.65	\$3.17	\$7.36
Age 3	2019	\$366.20	\$3.00	\$7.27
Age 2	2020	\$362.86	\$2.86	\$7.21
Age 1	2021	\$359.34	\$2.73	\$7.14
Infant	2022	\$356.20	\$2.63	\$7.07
Newborn	2023	\$353.63	\$2.53	\$7.02

PREPAID PLAN DORMITORY CONTRACT
 ONE YEAR
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$3,727.23	\$535.93	
11	2006	\$3,811.53	\$205.28	
10	2007	\$3,859.66	\$129.96	
9	2008	\$3,892.75	\$96.58	
8	2009	\$3,902.49	\$77.50	\$77.50
7	2010	\$3,899.82	\$65.17	\$77.45
6	2011	\$3,880.76	\$56.44	\$77.07
5	2012	\$3,855.38	\$49.98	\$76.57
4	2013	\$3,828.80	\$45.06	\$76.04
3	2014	\$3,792.05	\$41.08	\$75.31
2	2015	\$3,749.90	\$37.82	\$74.47
1	2016	\$3,698.32	\$35.04	\$73.45
K	2017	\$3,649.28	\$32.74	\$72.48
Age 4	2018	\$3,599.47	\$30.77	\$71.49
Age 3	2019	\$3,550.29	\$29.07	\$70.51
Age 2	2020	\$3,513.52	\$27.68	\$69.78
Age 1	2021	\$3,485.96	\$26.53	\$69.23
Infant	2022	\$3,445.70	\$25.41	\$68.43
Newborn	2023	\$3,425.35	\$24.55	\$68.03

PREPAID PLAN DORMITORY CONTRACT
TWO-YEARS
PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$7,538.76	\$1,083.99	
11	2006	\$7,671.18	\$413.15	
10	2007	\$7,752.40	\$261.03	
9	2008	\$7,795.24	\$193.40	
8	2009	\$7,802.32	\$154.96	\$154.96
7	2010	\$7,780.58	\$130.02	\$154.52
6	2011	\$7,736.14	\$112.50	\$153.64
5	2012	\$7,684.18	\$99.62	\$152.61
4	2013	\$7,620.85	\$89.68	\$151.35
3	2014	\$7,541.94	\$81.70	\$149.79
2	2015	\$7,448.22	\$75.11	\$147.92
1	2016	\$7,347.60	\$69.62	\$145.93
K	2017	\$7,248.76	\$65.03	\$143.96
Age 4	2018	\$7,149.76	\$61.11	\$142.00
Age 3	2019	\$7,063.80	\$57.84	\$140.29
Age 2	2020	\$6,999.47	\$55.15	\$139.01
Age 1	2021	\$6,931.65	\$52.75	\$137.66
Infant	2022	\$6,871.04	\$50.68	\$136.46
Newborn	2023	\$6,821.38	\$48.90	\$135.47

PREPAID PLAN DORMITORY CONTRACT
THREE-YEARS
PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$11,398.41	\$1,638.96	
11	2006	\$11,563.93	\$622.81	
10	2007	\$11,654.90	\$392.43	
9	2008	\$11,695.07	\$290.16	
8	2009	\$11,683.08	\$232.03	\$232.03
7	2010	\$11,635.96	\$194.45	\$231.09
6	2011	\$11,564.94	\$168.18	\$229.68
5	2012	\$11,476.23	\$148.78	\$227.92
4	2013	\$11,370.75	\$133.81	\$225.83
3	2014	\$11,240.26	\$121.76	\$223.23
2	2015	\$11,097.50	\$111.92	\$220.40
1	2016	\$10,947.07	\$103.73	\$217.41
K	2017	\$10,799.04	\$96.88	\$214.47
Age 4	2018	\$10,663.28	\$91.15	\$211.78
Age 3	2019	\$10,549.76	\$86.38	\$209.52
Age 2	2020	\$10,445.17	\$82.29	\$207.44
Age 1	2021	\$10,357.00	\$78.82	\$205.69
Infant	2022	\$10,267.08	\$75.72	\$203.91
Newborn	2023	\$10,207.81	\$73.18	\$202.73

PREPAID PLAN DORMITORY CONTRACT
 FOUR-YEARS
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$15,291.16	\$2,198.70	
11	2006	\$15,466.42	\$832.99	
10	2007	\$15,554.72	\$523.74	
9	2008	\$15,575.82	\$386.44	
8	2009	\$15,538.46	\$308.60	\$308.60
7	2010	\$15,464.77	\$258.44	\$307.13
6	2011	\$15,356.99	\$223.33	\$304.99
5	2012	\$15,226.12	\$197.40	\$302.40
4	2013	\$15,069.06	\$177.33	\$299.28
3	2014	\$14,889.54	\$161.30	\$295.71
2	2015	\$14,696.97	\$148.22	\$291.89
1	2016	\$14,497.36	\$137.37	\$287.92
K	2017	\$14,312.56	\$128.40	\$284.25
Age 4	2018	\$14,149.23	\$120.94	\$281.01
Age 3	2019	\$13,995.46	\$114.60	\$277.95
Age 2	2020	\$13,870.51	\$109.28	\$275.47
Age 1	2021	\$13,753.03	\$104.66	\$273.14
Infant	2022	\$13,653.50	\$100.70	\$271.16
Newborn	2023	\$13,572.04	\$97.29	\$269.54

PREPAID PLAN DORMITORY CONTRACT
 FIVE-YEARS
 PRICE SCHEDULE

Current Grade/Age	Projected Enrollment Year	Single Payment Plan	Monthly Payment Plan	5-Year (55 month) Installment Plan
12	2005	\$19,193.66	\$2,759.83	
11	2006	\$19,366.25	\$1,043.02	
10	2007	\$19,435.48	\$654.41	
9	2008	\$19,431.20	\$482.10	
8	2009	\$19,367.26	\$384.64	\$384.64
7	2010	\$19,256.81	\$321.81	\$382.45
6	2011	\$19,106.88	\$277.86	\$379.47
5	2012	\$18,924.44	\$245.34	\$375.85
4	2013	\$18,718.35	\$220.28	\$371.75
3	2014	\$18,489.02	\$200.29	\$367.20
2	2015	\$18,247.26	\$184.02	\$362.40
1	2016	\$18,010.88	\$170.66	\$357.70
K	2017	\$17,798.52	\$159.67	\$353.48
Age 4	2018	\$17,594.93	\$150.39	\$349.44
Age 3	2019	\$17,420.80	\$142.64	\$345.98
Age 2	2020	\$17,266.55	\$136.04	\$342.92
Age 1	2021	\$17,139.46	\$130.43	\$340.39
Infant	2022	\$17,017.73	\$125.51	\$337.98
Newborn	2023	\$16,932.53	\$121.38	\$336.28

LAND AND WATER ADJUDICATORY COMMISSION

**NOTICE OF RECEIPT OF PETITION
GATEWAY SERVICES COMMUNITY
DEVELOPMENT DISTRICT**

On June 2, 2004, the Florida Land and Water Adjudicatory Commission (the "Commission") received a Petition to adopt an amendment to Chapter 42F-1, Florida Administrative Code, to amend the boundaries of the Gateway Services Community Development District (the "District") pursuant to chapter 190, Florida Statutes. Petitioner asserts a copy of the Petition was filed with the City of Fort Myers and Lee County in compliance with Section 190.046, Florida Statutes. The Commission will follow the requirements of Chapter 190, Florida Statutes, and Chapter 42-1, Florida Administrative Code, in ruling on this Petition.

SUMMARY OF CONTENTS OF PETITION: The Petition was filed by the Gateway Services Community Development District with its registered office located at 3200 Tamiami Trail No., Suite 200, Naples, Florida 34103. The Petition proposes to modify the land area presently serviced by the District by amending its boundaries to contract approximately 12 acres. The District currently covers approximately 4,501 acres of land and after contraction, the District will encompass approximately 4,488.58 acres. The property to be contracted out of the District is owned by Lee County. Petitioner has obtained the consent of Lee County to the contraction of the boundary of the District. Pursuant to Section 190.046(1)(e), F.S., the filing of the Petition for contraction by the District Board of Supervisors constitutes consent of the landowners within the District other than of landowners whose land is proposed to be removed from the District. The contraction parcel consists of right-of-way which has been deeded to Lee County for the future construction of Treeline Boulevard. The funding of the future road construction will be undertaken by a separate community development district (Arborwood CDD).

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COSTS: In association with the Petition, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, Florida Statutes. The complete text of the SERC (as amended) is contained at Exhibit "7" to the Petition. By way of summary, the SERC (as amended) estimates that the principal individuals and entities likely to be required to comply with the amended rule are the state, the City of Fort Myers, Lee County, Florida, the District and especially the landowners within the District's amended boundaries. The SERC (as amended) estimates the type of individuals likely to be affected by the amended rule as landowners within the District's amended boundaries. The SERC (as amended) estimates that rule amendment implementation and enforcement costs to the

above-described entities will be minimal, are concurrently budgeted or not burdensome, and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no effect on state and local revenues from the proposed amendment of the rule. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC (as amended) indicates that if the petition to contract the District is approved there will be no change in the capital assessment on any individual equivalent residential unit. The area being contracted out of the District contains no infrastructure funded by District bonds, nor are there any operations or maintenance fees attendant to such infrastructure allocated to the contraction parcel. Finally, the SERC (as amended) concludes that the amended rule's effect on small businesses will be minimal or positive, that Lee County is not a "small" county as defined by Section 120.52, F.S., nor is the City of Fort Myers a "small" city under Section 120.52, F.S. The SERC (as amended) analysis is based on a straightforward application of economic theory with input received from the developer's engineer and other professionals associated with the developer.

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

DATE AND TIME: Tuesday, November 2, 2004, 9:00 a.m.

PLACE: Lee County Old Courthouse, East Room, 2120 Main Street, Fort Myers, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Jonathan T. Johnson or Chasity H. O'Steen, (850)222-7500, at least five (5) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING: Jonathan T. Johnson or Chasity H. O'Steen, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, Telephone (850)487-1884.

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 a revised draft of a policy (previously posted but not formally approved) for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/djj/djjservices/administration/policies_procedures/policyreview.shtml.

Contract Management and Program Monitoring (department-wide policy type B) – establishes procedures for program monitoring and contract management. Contract Management procedures shall ensure that contractual services were delivered in accordance with the contracts' terms and conditions prior to the approving invoices for payment. Program Monitoring procedures shall ensure that quality services are provided, that Department standards are maintained, and Department policies, related statutes, and rules are followed.

This draft policy was previously posted on February 4 and May 19 of this year. Following substantial revisions to the draft policy it is being posted for a single 20 working day review and comment period. The closure date for submission of comments on this policy is November 12, 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 September 29, 2004 John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Margaret Irene Johnson, R.N., license number RN 2623042. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On September 29, 2004 John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Roger Lee Gordon, M.D., license number ME 82538. This Emergency Restriction 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 October 5, 2004 John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Gail Patricia Feeney Bishop, L.P.N. license number PN 413841. 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 October 5, 2004 John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Shanna Delynn Travis, R.N., license number RN 3074852. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On September 29, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Scott Jacques, R.Ph, license number PS 34894. 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.

NOTICE OF FUND AVAILABILITY FOR THE
FISCAL YEAR 2004-2005 FLORIDA EMERGENCY
MEDICAL SERVICES (EMS) COUNTY GRANTS

AGENCY: Department of Health

GRANT TITLE: Florida EMS County Grants

PURPOSE AND EFFECT: To provide grants for pre-hospital
EMS in Florida

AUTHORITY: Chapter 401, Part II, Florida Statutes (F.S.)

ELIGIBILITY: Boards of County Commissioners may apply to
receive their EMS County Grants by submitting their
completed EMS County Grant Application including the
required County Resolution to the Department at the address
below.

TO OBTAIN AN APPLICATION: An application is being
mailed to the chairperson and contact person in each county. A
copy is available on the EMS website, [doh.state.fl.us/
workforce/ems1/Grants/Grants.htm](http://doh.state.fl.us/workforce/ems1/Grants/Grants.htm). If you do not receive the
application, please call: Ed Wilson, (850)245-4440, Ext. 2737
or Alan Van Lewen, Extension 2734; or write: EMS County
Grant Program, Attn: Ed Wilson, 4052 Bald Cypress Way, Bin
#C18, Tallahassee, Florida 32399-1738.

NUMBER OF COPIES: Submit one signed original and one
copy of the application and resolution.

DEADLINE: Applications will be accepted beginning with the
date of this notice. Completed applications and county
resolutions must be received by the Department of Health,
Bureau of Emergency Medical Services no later than 5:00 p.m.
(EST), January 28, 2005.

P. O. # DO29262

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, Florida Administrative Code. Petition must be
received by the Clerk within twenty-one (21) days of
publication of this notice (by 5:00 p.m., November 5, 2004):

APPLICATION FOR A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: Freedom Bank of America,
1200 4th Street, North, St. Petersburg, Florida 33701

Correspondent: John P. Greeley, 255 South Orange Avenue,
Suite 800, Orlando, Florida 32801

Received: September 30, 2004

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN September 27, 2004
 and October 1, 2004

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF EDUCATION
State Board of Education

6A-6.03028	9/27/04	10/17/04	30/7	30/13
6A-6.03411	9/27/04	10/17/04	30/7	30/13

Florida State University

6C2-2.024	10/1/04	10/21/04	Newspaper	
6C2-2.02414	10/1/04	10/21/04	Newspaper	
6C2-2.02422	10/1/04	10/21/04	Newspaper	

Florida A and M University

6C3-3.017	9/29/04	10/19/04	Newspaper	
-----------	---------	----------	-----------	--

University of South Florida

6C4-4.0107	9/28/04	10/18/04	Newspaper	
------------	---------	----------	-----------	--

DEPARTMENT OF REVENUE

12-3.011	9/28/04	10/18/04	30/27	
----------	---------	----------	-------	--

DEPARTMENT OF TRANSPORTATION

14-24.001	9/29/04	10/19/04	30/34	
14-79.006	9/29/04	10/19/04	30/34	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

STATE BOARD OF ADMINISTRATION

19-10.001	10/1/04	10/21/04	30/28	
19-10.002	10/1/04	10/21/04	30/28	
19-10.003	10/1/04	10/21/04	30/28	
19-11.002	10/1/04	10/21/04	30/28	30/36
19-11.004	10/1/04	10/21/04	30/28	30/36
19-11.005	10/1/04	10/21/04	30/28	30/36
19-11.006	10/1/04	10/21/04	30/28	30/36
19-11.007	10/1/04	10/21/04	30/28	
19-12.007	10/1/04	10/21/04	30/28	30/40
19-13.001	10/1/04	10/21/04	30/28	
19-13.002	10/1/04	10/21/04	30/28	
19-13.003	10/1/04	10/21/04	30/28	
19-13.004	10/1/04	10/21/04	30/28	
19-14.001	10/1/04	10/21/04	30/28	

DEPARTMENT OF CITRUS

20-115.001	10/1/04	10/21/04	30/33	
20-116.001	10/1/04	10/21/04	30/33	
20-116.002	10/1/04	10/21/04	30/33	

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

40B-4.1040	9/28/04	10/18/04	30/22	30/34
40B-4.2030	9/28/04	10/18/04	30/22	30/34
40B-4.3010	9/28/04	10/18/04	30/22	30/34
40B-4.3030	9/28/04	10/18/04	30/22	30/34

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

60DD-4.001	9/27/04	10/17/04	30/25	30/33
60DD-4.002	9/27/04	10/17/04	30/25	30/33
60DD-4.003	9/27/04	10/17/04	30/25	30/33
60DD-4.004	9/27/04	10/17/04	30/25	30/33
60DD-4.005	9/27/04	10/17/04	30/25	30/33
60DD-4.006	9/27/04	10/17/04	30/25	30/33
60DD-6.001	9/27/04	10/17/04	30/25	30/33
60DD-6.002	9/27/04	10/17/04	30/25	30/33
60DD-6.003	9/27/04	10/17/04	30/25	30/33
60DD-6.004	9/27/04	10/17/04	30/25	30/33
60DD-6.005	9/27/04	10/17/04	30/25	30/33
60DD-6.006	9/27/04	10/17/04	30/25	30/33
60DD-6.007	9/27/04	10/17/04	30/25	30/33
60DD-6.008	9/27/04	10/17/04	30/25	30/33

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

61C-5.016	9/29/04	10/19/04	30/34
-----------	---------	----------	-------

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-730.020	9/28/04	10/1/04	30/35
62-730.021	9/28/04	10/1/04	30/35
62-730.030	9/28/04	10/1/04	30/35
62-730.150	9/28/04	10/1/04	30/35
62-730.160	9/28/04	10/1/04	30/35
62-730.170	9/28/04	10/1/04	30/35
62-730.180	9/28/04	10/1/04	30/35
62-730.181	9/28/04	10/1/04	30/35
62-730.183	9/28/04	10/1/04	30/35
62-730.184	9/28/04	10/1/04	30/35
62-730.185	9/28/04	10/1/04	30/35
62-730.220	9/28/04	10/1/04	30/35

DEPARTMENT OF HEALTH

Board of Medicine

64B8-30.005	9/29/04	10/19/04	30/35
-------------	---------	----------	-------

Vital Statistics

64V-1.001	9/29/04	10/19/04	30/35
64V-1.002	9/29/04	10/19/04	30/35
64V-1.003	9/29/04	10/19/04	30/35
64V-1.0032	9/29/04	10/19/04	30/35
64V-1.006	9/29/04	10/19/04	30/35
64V-1.0061	9/29/04	10/19/04	30/35
64V-1.019	9/29/04	10/19/04	30/35

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

68B-3.008	10/1/04	1/1/05	30/34
68B-45.004	10/1/04	10/21/04	30/34