

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

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE TITLE: Approval of Modifications  
 PURPOSE AND EFFECT: The Commission proposes development to the rule to clarify the Commission's contingencies for approval of modifications sought by institutions holding an Annual License.  
 SUBJECT AREA TO BE ADDRESSED: Approval of Modifications.

RULE NO.: 6E-2.008

SPECIFIC AUTHORITY: 1005.33(2) FS.

LAW IMPLEMENTED: 1005.33(2) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 6E-2.008 Approval of Modifications.
- (1) No change.
- (a) through (d) No change.
- (e) Submission of proposed catalog revisions.
- (2) through (6) No change.

Specific Authority 1005.33(2) FS. Law Implemented 1005.33(2) FS. History-- Repromulgated 12-5-74, Formerly 6E-4.01(2)(c), Readopted 11-11-75, Amended 5-7-79, 10-13-83, Formerly 6E-2.08, Amended 5-13-87, 11-29-89, 10-19-93, 4-2-96, 4-11-00, 4-2-03,\_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**Commission for Independent Education**

RULE TITLE: Fees and Expenses  
 PURPOSE AND EFFECT: The Commission proposes this rule amendment to impose fees upon extension of licensure.  
 SUBJECT AREA TO BE ADDRESSED: Fees and Expenses.  
 SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS.  
 LAW IMPLEMENTED: 1005.22, 1005.35, 1005.37, 1005.38 FS.

RULE NO.: 6E-4.001

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

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

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Airport Licensing, Registration, and Airspace Protection	14-60
RULE TITLES:	RULE NOS.:
Purpose, Definitions, Exemptions, and Designation of Signature Authority	14-60.003
Airport Site Approval	14-60.005
Airport Licenses and Registrations	14-60.006
Airfield Standards for Licensed Airports	14-60.007
Airspace Protection	14-60.009
Forms	14-60.011

PURPOSE AND EFFECT: Rule Chapter 14-60, F.A.C., is being significantly amended. The rule chapter title is revised, individual rules are amended, the six charts are being deleted, and five new tables are being added. The proposed amendment is needed to comply with recent revisions to the Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Rule Chapter 14-60, F.A.C., is being amended.

SPECIFIC AUTHORITY: 330.29(4), 334.044(2) FS.

LAW IMPLEMENTED: 330.29, 330.30, 330.35, 330.39 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., March 12, 2004

PLACE: Department of Transportation, Haydon Burns Building, The Suwannee Room, Room 250, 605 Suwannee Street, Tallahassee, Florida

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

AIRPORT LICENSING, REGISTRATION,  
AND AIRSPACE PROTECTION

14-60.003 Purpose, Definitions, Exemptions, and Designation of Signature Authority.

(1) Purpose. The purpose of this rule chapter is to promote safe civil aviation by eliminating hazards; to provide airfield standards for airports; to provide standards for airport marking and lighting sites and categories; to license and register airports, pursuant subject to the licensing and registration requirements of Chapter 330, Florida Statutes; ~~to provide for airport markings~~; and to promote flight safety by providing for airspace protection, pursuant to the requirements of Chapter 333, Florida Statutes.

(2) Definitions.

(a) The definitions in Section 330.27, Florida Statutes shall apply to this rule chapter.

(b) For purposes of this rule chapter the following additional terms are defined:

1. "Aeronautics" means transportation by aircraft; the operation, construction, repair, or maintenance of aircraft, aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports, restricted landing areas, or other air navigation facilities, and air instruction. ~~"Airport" means any area of land or water, or any manmade object or facility located thereon, which is used, or intended for use, for landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights of way, together with all airport buildings and facilities located thereon.~~

2. "Airport Hazard" means any structure or tree or use of land that would exceed the federal obstruction standards and which obstructs the airspace required for the flight of aircraft in taking off, maneuvering, or landing or is otherwise hazardous to such taking off, maneuvering, or landing of aircraft and for which no person has previously obtained a permit or variance. ~~"Airport (Land)" means a defined area of land, including any buildings and installations, normally used for the takeoff and landing of aircraft.~~

3. "Airport Hazard Area" means any area of land or water upon which an airport hazard might be established if not prevented. ~~"Displaced Threshold" means a threshold that is located at a point on the runway other than at the beginning of the runway. The area behind the displaced threshold is available for the landing rollout or the takeoff of an aircraft.~~

4. "Applicant" means a person submitting an application for private or public airport site approval or public airport license. ~~"Effective Length" means the distance from the normal, relocated, or displaced threshold to the opposite end of the runway.~~

5. "Approach Surface" means an area that surrounds and protects the landing approach area, which is longitudinally centered on the extended runway centerline and extends outward and upward from each end of the runway primary surface. ~~"Emergency Airport" means any landing area so designated by the Department for use under emergency or unusual circumstances.~~

6. "Coefficient of Friction" ("Mu") means a value that is an indicator of the resistance to motion of two moving objects or surfaces that touch. ~~"FAA" is the Federal Aviation Administration.~~

7. "Displaced Threshold" means a point on the runway beyond the threshold to re-designate the beginning portion of the runway available for landing, although the portion of pavement preceding a displaced threshold may be available for takeoffs in either direction and landings from the opposite direction. ~~A "Heliprot" means a designated landing area used primarily for the operation and basing of rotorcraft.~~

8. "FATO" means the designated "Final Approach and Takeoff" area for helicopter operations. ~~A "Helistop" means a designated landing area used for the operation of rotorcraft where no basing facilities are provided.~~

9. "IFR" means the FAA established "Instrument Flight Rules," under which aircraft operate when meteorological conditions, ceiling, and/or visibility exist that are below the minimums for flight under visual flight rules, incorporated herein by reference. ~~"Inactive Status" means any category of licensed airport not open to general operations and so noted as a condition in its license.~~

10. "Local Government" means a city or county and shall include political subdivisions as defined in Section 333.01(9), Florida Statutes. ~~"Landplane" means any aircraft that operates strictly on land, from prepared surfaces of prescribed dimensions, as defined herein.~~

11. "Non-precision Instrument Runway" means a runway having an existing or planned instrument approach procedure using air navigation facilities with only horizontal guidance or area type navigation equipment for which a straight-in non-precision instrument approach procedure has been approved. ~~"License Category" refers to one of the following categories of airports: public, private, limited, temporary or emergency.~~

12. "Obstruction" means any existing or proposed manmade object or object of natural growth or terrain that violates federal obstruction standards. ~~"License Type" refers to the specific type of airport being licensed and could also be~~

~~defined as one of the following: airport (land), heliport, helistop, seaplane base, STOLport, LTAport, vertiport, vertistop, or ultralight flightpark.~~

13. “Pavement Condition Index” (“PCI”) means a value that is an indicator of the integrity and viability of a runway surface with a focus on pavement cracking, swelling, rutting, and depressions. “Limited Airport” means an airport limited exclusively to the specific conditions listed upon the license.

14. “Precision Instrument Runway” means a runway having an existing or planned instrument approach procedure using an Instrument Landing System or a Precision Approach Radar. “LTAport” means a designated area used primarily for launching, docking, tethering and recovering lighter-than-air aircraft.

15. “Primary Surface” or “Runway Safety Area” means a defined surface area that surrounds and protects the landing area; the dimensions of which vary by type of landing area, weight of the landing aircraft, visibility, and the type of landing approach, surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway. This means an airport surface, free of obstructions, of dimensions prescribed in rule section 14 60.007(2), F.A.C., which includes the runway.

16. “Runway Safety Area” means a specified surface surrounding the runway that is prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway. “Private” means an airport used primarily by the licensee but is available for use by others upon specific invitation of the licensee. Aviation services may be provided if authorized by the Department. The amount and type of such aviation services provided are normally a function of local zoning.

17. “Structure” means any object, constructed or installed by humans, including, but without limitation thereof, buildings, towers, smokestacks, utility poles, and overhead transmission lines. “Public” means an airport, publicly or privately owned, which meets minimum safety and service standards and is open for use to the general flying public. Goods and services may be provided to the general public if local zoning is appropriate for such commercial activity.

18. “Threshold” means the beginning of that portion of the runway available for landing. “Relocated Threshold” means a threshold that is located at a point on the runway other than at the beginning of the runway; the area behind which is no longer available for the landing or takeoff of aircraft.

19. “TLOF” means the designated “Touchdown and Ltoff” area for helicopter operations. “Rotorcraft” means a heavier than air aircraft that derives its support in flight principally from lift generated by one or more rotors.

20. “Transition Surface” means a surface area that surrounds and protects the lateral boundaries of the primary and approach surfaces, which extends outward and upward at

right angles to the runway centerline and the extended runway centerline at specified ratios. “Runway” means a strip of land of prescribed dimension, either paved or improved, on which takeoffs and landings are effected, which is centered within the primary surface and may have one or two usable ends.

21. “Traverse Way” means any highway, roadway, waterway, railway, or other public or private surface transitway, that allows for the passage of mobile objects. “Seaplane Base” means a designated area of water of prescribed dimensions used or intended to be used for the takeoff or landing of aircraft where docking, mooring, or ramping facilities are available for use by seaplanes or amphibious aircraft.

22. “Utility Runway” means a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less. “Special” is a term which will be used in conjunction with the site approval order or with the license category and type to limit or to authorize activities or services at airports because of aircraft performance, safety, social, economic or other considerations.

23. “VFR” means FAA established “Visual Flight Rules” under which aircraft operate when favorable meteorological conditions, ceiling, or visibility exist that are above the minimums for flight under instrument flight rules, incorporated herein by reference. “STOL (Short takeoff and landing) Aircraft” means an aircraft of special design, but with normal performance characteristics, enabling safe flight from a short field utilizing steep approaches and departures as normal aircraft operating procedures and not requiring unusual or special skills of the pilot in command.

24. “Visual Runway” means a runway intended solely for the operation of aircraft using visual approach procedures, with no planned straight-in instrument approach procedure designation. “STOLport” means a landing area designated exclusively for the use of STOL aircraft, with landing area and approach zone dimensions compatible with aircraft performance characteristics.

25. “Temporary Airport” means an airport, publicly or privately owned, that will be used for a period of 90 days or less with no more than ten operations per day.

26. “Transitional Surface” means those surfaces which extend outward and upward at right angles to the runway centerline, extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces on a public use runway.

27. “Ultralight Flightpark” means an airport designated exclusively for the use of ultralight vehicles.

28. “Usable Width” means the prepared width of a landing area which can be safely used for takeoffs and landings and is centered within the primary surface.

29. “VFR” means Visual Flight Rules.

~~30. “Vertiport” and “Vertistop” are as defined in the current Federal Aviation Administration Advisory Circular 150/5390-3, (May 31, 1991) Vertiport Design, which is hereby incorporated herein by reference.~~

~~(3) The State Aviation Manager is authorized Secretary of Transportation hereby authorizes the District Secretaries and the State Public Transportation Administrator or their designated representative to issue site approval orders and licenses, and to accept registrations, in the name of the Department, site approval orders, the original license and license renewals for those airports subject to the licensing and registration requirements of Section 330.30, Florida Statutes, and to enforce the provisions of Chapter 330 333, Florida Statutes. Additionally, the State Aviation Manager is authorized to issue airspace obstruction permits subject to the requirements of Section 333.025, Florida Statutes, and to enforce the provisions of Chapter 333, Florida Statutes.~~

~~(4) All Department actions regarding the application for issuance, renewal, amendment, suspension, or revocation of site approval orders, and licenses and registrations shall be in accordance with Chapters 120 and 330, Florida Statutes, and this rule chapter.~~

~~Specific Authority 330.29(4)(3), 334.044(2) FS. Law Implemented 330.29, 330.30, 330.35, 333.065 FS. History—New 11-23-72, Amended 11-19-81, 1-8-85, Formerly 14-60.03, Amended 12-26-95, 2-11-97, \_\_\_\_\_.~~

~~14-60.005 Airport Site Approval and General Licensing Requirements.~~

~~(1) Any proposed new airport requires an airport site approval order issued by the Florida Department of Transportation (Department). Site approval by the Department is required prior to the establishment of an operational airport. Owners or lessees of proposed airports, except temporary airports, shall obtain site approval prior to establishing a proposed airport and an original license prior to operating aircraft to or from the airport. Site approval shall also be required if the license category is changed to a higher use and will be required for renewal of an expired airport license if there are major changed physical or legal conditions or if the license expired more than two years prior to the date renewal is requested.~~

~~(2) Renewal of an airport site approval order shall be required by the Department, whenever: An application for site approval and for an original license shall be made jointly in accordance with DOT requirements governing uniform licensing of Florida Airports, which are included in the Airport Site Approval and License Application, DOT Form 725-040-12, Rev. 10/96 The application together with an application fee of \$100.00 shall be filed with the appropriate District Office of the Department of Transportation, in care of the District Public Transportation Manager. Airports owned or operated by a public entity and hospital emergency helistops are exempt from all fees.~~

(a) The Department considers the airport site approval order to be invalid.

(b) The Department has revoked the airport site approval order.

(c) The license for an existing public airport has expired, without being renewed.

(d) The registration for an existing private airport has expired, without being re-certified.

(3) An application for airport site approval shall be made in the form and manner required by the Department. There are no monetary fees required for this airport site approval service. An applicant must have an option to buy or be the owner or lessee of the proposed airport property, with the following exceptions:

(a) Public Airport. Public airport site approval applicants shall submit a Public Airport Site Approval Application, DOT Form 725-040-12, Rev. 02/04, incorporated by reference under Rule 14-60.011, F.A.C., along with all required supporting documentation, to the following: State Aviation Manager, Florida Department of Transportation, 605 Suwannee Street, M.S. 46, Tallahassee, Florida 32399-0450. Unless required by another government agency a seaplane base applicant need not own or lease the surface landing area or the land area beneath the surface landing area if the area is in the public domain.

(b) Private Airport. Private airport site approval applicants shall complete an interactive internet-based registration application and certify that the information is true and correct to the best of their knowledge, using a Department electronic aviation facility data system. The approach zones need not be owned or leased by the applicant.

(c) Temporary Airport. Temporary public or private airport site approval applicants, due to the limitations placed on their use for a period of less than 30 days and the restriction to no more than 10 operations per day, and due to a normal short lead-time prior to the necessity for activating flight operations, shall have an expedited site approval process with each proposal evaluated by the Department based upon the application. Applicants for a temporary, public or private airport site approval should contact the Department at the earliest opportunity to present their requirements and request a expedited site proposal review and Department approval or disapproval. An application for site approval by a lessee shall be accompanied by a copy of the lease agreement.

(4) Conditions for Site Approval. The Department shall grant site approval for a proposed airport that complies with all the requirements of Section 333.30, Florida Statutes, subject to any reasonable conditions necessary to protect the public health, safety, or welfare. Whenever seaplane, helicopter, landplane or other type of aircraft operations can be safely carried on from the same property, only one application need be filed, provided the property is owned or leased by the same person. The application shall indicate the multiple nature of the

~~operation. Where there are intervening owners or lessees of land between the operations, separate applications shall be filed with separate fees.~~

~~(5) Public Airport Site Approval. Public airport site approval applications shall be accompanied by the following supporting documentation to allow the Department to make its airport site approval determination and to ensure the applicant's satisfaction of conditions stated in subsection 14-60.005(4), F.A.C., above: The Department is authorized to license sites for temporary airports, pursuant to Section 330.30(2)(c), if the public health, safety, or welfare requires such action. For purposes of this subsection and subsection (6), examples of circumstances that would justify a temporary or "special" license are when unusual circumstances arise that require special air transportation facilities, such as infrequent major sports or recreation events, the need to dust crops in a particular area, or a natural disaster.~~

~~(a) Property Rights. Provide a copy of written legal confirmation of ownership, option to buy, or lease agreement for the real property that comprises the site on which the proposed airport would be located. Although adequate safety areas surrounding an airport site are important and a factor in Department's approval determination, the applicant is not required to hold property rights over those real property areas that would constitute runway approach surfaces.~~

~~(b) Facility Diagram. Provide a scale drawing showing the size and dimensions of the proposed facility; property rights of way and easements; lighting, power, and telephone poles; location of building(s) on property and surrounding areas; and direction, distance, and height of all structures over 25 feet within 1,000 feet of the site perimeter.~~

~~(c) Geodetic Position. Provide a copy of a U.S. Geological Survey quadrangle map or equivalent with the proposed site plotted to the nearest second of latitude and longitude.~~

~~(d) Location Map. Provide a copy of a map or sketch, at least 8.5 x 11 inches in size, showing the location of the proposed site, with respect to recognizable landmarks and access roads to the site clearly marked.~~

~~(e) Aviation Facilities. Provide a list of names and mailing addresses for adjacent airports, including a sample copy of the letter submitted as proposal notification to these airports, and attach a copy of all airport reply correspondence.~~

~~1. For a proposed airport or seaplane landing facility, list all VFR airports and heliports within five nautical miles and all IFR airports within 20 nautical miles.~~

~~2. For a proposed heliport, list all VFR airports and heliports within three nautical miles and all IFR airports within 10 nautical miles.~~

~~(f) Local Government. Provide a copy of each of the letters of notification, showing the recipient's name and mailing address, that have been submitted to each zoning authority having jurisdiction, for the municipality and county in which the site lies or which is located within five nautical~~

miles of the proposed airport site. The applicant shall also include a copy of all related correspondence from each city or county authority, including a statement that the proposed airport site is in compliance with local zoning requirements or that such requirements are not applicable.

(g) Adjacent Property. Provide a list of the names and mailing addresses of all real property owners within 1,000 feet of the airport site perimeter, or within 300 feet of the heliport or helistop site perimeter, including a single copy of the letter of notification submitted as notification to these adjacent real property owners, and include a copy of all real property owner correspondence in reply. If this condition has been accomplished by a local government as part of its review and approval process for the airport, provide written confirmation of the fact, in lieu of the above required submittal by the applicant.

(h) Public Notice. Provide a copy of the notice and of the letter, showing the recipient's name and mailing address, requesting publication of notification of the proposed airport site in a newspaper of general circulation in the county in which the proposed airport site is located and counties within five nautical miles of the proposed airport site. If this condition has been accomplished by a local government as part of its review and approval process for the airport, provide written confirmation of the fact, in lieu of the above required submittal by the applicant.

(i) Waste Sites. Provide written confirmation that the runway(s) on the proposed airport would not be located within 5,000 feet of any solid waste management facility for a proposed airport serving only non-turbine aircraft, or within 10,000 feet of any solid waste management facility for a proposed airport serving turbine-driven aircraft.

(j) Air Traffic Pattern. Provide written confirmation, including a graphical depiction, demonstrating that safe air traffic patterns can be established for the proposed airport with all existing and approved airport sites within three miles of the proposed airport site. Provide a copy of written memorandum(s) of understanding or letter(s) of agreement, signed by each respective party, regarding air traffic pattern separation procedures between the parties representing the proposed airport and any existing airport(s) or approved airport site(s) located within three miles of the proposed site.

(k) Safety Factors. Provide written confirmation that the runway and taxiway design criteria and airport design layout of the proposed airport have appropriately taken into account consideration of the manufacturer's performance characteristics for the type(s) of aircraft planned to be operated; the frequency and type(s) of flight operations to be anticipated; planned aviation-related or non-aviation activities on the airport; and any other safety considerations, as necessary, to help ensure the general public health, safety, and welfare of persons located on or near the airport.

(l) Security Factors. Provide written confirmation that the proposed airport site owner or lessee will take appropriate steps to help protect the general public health, safety, and welfare through secure airport operations and that they will develop and implement adequate airport security measures to safeguard airport and aviation-related assets from misappropriation or misuse in order to prevent potential loss or public endangerment.

(m) FAA Approval. Provide a copy of the notification to the FAA regarding the proposed airport site and a copy of the FAA's airspace approval correspondence given in response.

(6) Private Airport Site Approval. Private airport site approval applications, as stated in paragraph 14-60.005(3)(b), F.A.C., above, are subject to the same requirements for approval as stated for public airport site approval applicants in item 14-60.005(5)(a)-(m), above. However, private airport site approval applicants are required only to respond to interactive inquiries on the specified Department private airport website. Private airport applicants are not required to submit a hard copy, written site approval application nor supporting documentation, as required of public airports. However, the Department recommends that all private airport site approval applicants retain for their records all of the original documentation related to the site approval application, in order to be able to respond to any possible future local, state, or federal inquiry. The Department is authorized to license an airport that does not meet all of the minimum standards, pursuant to Section 330.30(2)(e), F.S., if it determines that such exception is justified by unusual circumstances or is in the interest of public convenience and does not endanger the public health, safety, or welfare. Such license shall bear the designation "special" and shall state the conditions to which the license is subject.

(7) Department Site Approval Process. The Department process for determining the approval or disapproval of an airport site application will vary by type of airport proposed, as follows: The Department is authorized to license an airport having more than one runway if at least one runway meets the minimum standards of this rule chapter. The operation of aircraft from runways which do not meet minimum standards shall be at the airport and the aircraft operator's risk. The airport license shall designate which runways do not meet the minimum standards.

(a) Department Process for Public Airports. The Department shall conduct a review and detailed audit, as necessary, of the submitted airport site approval application and all required supporting documentation for accuracy and completeness. The Department shall notify the applicant of any incomplete application within 30 days of its receipt. The applicant shall have 90 days from the date of the Department notice to provide a complete application. Failure of the applicant to provide a complete application by the conclusion of this period shall result in the Department returning the

application to the applicant without action. Site approval shall be granted for public airports only after the Department determines the conditions of subsection 14-60.005(4), F.A.C., above, are satisfied and only after favorable completion of a physical inspection of the proposed public airport site by Department authorized personnel.

1. Following issuance of the public airport site approval order, the Department shall place an announcement in the Florida Administrative Weekly. In order to allow for required administrative processing and publishing lead times, 45 days shall be allowed from the date of issuance until the effective date of the public airport site approval order.

2. From the date of publication of the "Florida Administrative Weekly" containing the public airport site approval order announcement, 21 days shall be allowed for the public to petition the Department for an administrative hearing pursuant to Section 120.57(1), Florida Statutes.

a. If a petition for administrative hearing is not filed, the public airport site approval order shall take effect 45 days after the date of its issuance.

b. If a petition for administrative hearing is filed, the public site approval order shall not take effect 45 days after the date of its issuance, but shall be held in abeyance pending the outcome of the administrative hearing. The Department will provide notification to the applicant stating that a petition has been filed and that the public airport site approval order effective date is pending the outcome of the administrative hearing.

3. Any public airport limited exclusively to the specific, reasonable conditions stated on its site approval order imposed by the Department to protect public health, safety, or welfare, shall be designated a "Limited Airport."

(b) Department Process for Private Airports. The Department shall conduct a review and detailed audit, as necessary, of the private airport site application information, submitted via the specified electronic internet-based website. Incomplete information will preclude the Department from further processing and the applicant will be notified of application deficiencies. Site approval shall be granted for private airports only after the requirements of subsection 14-60.005(4), F.A.C., above, have been met. Physical inspection of the private airport site is not required.

1. The Department shall place an announcement in the Florida Administrative Weekly of the issuance of the private airport site approval order.

2. From the date of publication of the Florida Administrative Weekly containing the private airport site approval order announcement, 21 days shall be allowed to petition the Department for an administrative hearing pursuant to Chapter 120, Florida Statutes.

a. If a petition for administrative hearing is not filed, the private airport site approval order shall take effect 45 days after the date of its issuance.

b. If a petition for administrative hearing is filed, the private airport site approval order shall not take effect but shall be held in abeyance pending the outcome of the administrative hearing. The Department will provide notification to the applicant stating that a petition has been filed and that the private airport site approval order effective date is pending the outcome of the administrative hearing.

3. Any private airport limited exclusively to the specific, reasonable conditions stated on its site approval order imposed by the Department to protect public health, safety, or welfare, shall be designated a "Limited Airport".

(c) Department Process for Temporary Airports. The Department shall conduct a review and detailed audit, as necessary, of the information submitted by temporary, public or private airport applicants. Site approval shall be granted for temporary airports only after the requirements of subsection 14-60.005(4), F.A.C., above, have been met. Physical inspection of the site is not required. Additionally, due to the short lead time and duration, as well as urgent requirements often related to a temporary airport the Department will not publish announcement for public review and comment regarding its issuance of a temporary airport site approval order. Temporary airport site approval orders shall take effect concurrent with the date of issuance.

#### (8) Airport Site Approval Order.

(a) Issuance. The Department approval of a proposed public or private airport site shall be documented by issuance of an airport site approval order, which shall remain valid for a period of two years from its effective date and which can be extended for subsequent periods of two years for good cause. Special conditions imposed on the site approval order must be satisfied prior to airport licensing or registration. Prior to receiving site approval, an applicant shall:

1. Demonstrate that the site is adequate for the proposed airport.

2. Demonstrate that the proposed airport, if constructed or established, will conform to minimum standards of safety as defined herein.

3. Include documentation evidencing local zoning approval by the appropriate governmental agency. Where there is no local zoning, a written statement of that fact from the appropriate governmental agency official shall be submitted.

4. Provide the Department a list of all airports and municipalities within 15 nautical miles of the proposed airport and all property owners within 1,000 feet of the proposed airport or within 300 feet, horizontal measurement, of the primary surface of a proposed heliport or helistop.

5. Provide the Department with a copy of FAA airspace determination, if applicable, or, if not applicable, demonstrate that safe air traffic patterns could be worked out for the proposed airport.

6. Demonstrate that the runway(s) on the proposed airport will not be within 5,000 feet of any solid waste management facility, monofill, or sludge land spreading operation for airports serving only non-turbine aircraft, or within 10,000 feet of any aforementioned facilities or operations for airports serving turbine-driven aircraft.

(b) Revocation. The Department shall revoke a site approval order, if it determines: All airport sites must be inspected by a representative of the Department and a written report containing a recommendation shall be filed by the Department.

1. That the site has been abandoned as an airport site. If the inspection shows that the site is feasible and can meet the requirements set forth in Rule 14-60.005(9)(a)1. 5. above, the Department shall issue a notice of intent.

a. A notice of intent shall state the name of the applicant; give the location of the airport site by latitude and longitude as well as by section, township and range; and state the type of license applied for and the earliest date a site approval order may be issued.

b. The notice of intent shall be published in a newspaper of general circulation in the county in which the proposed site is located. Additionally, the notice of intent shall be sent by certified mail, return receipt requested, to the County Commission of the county in which the proposed airport is to be located, to all airports and municipalities within 15 nautical miles of the proposed airport and all property owners within 1,000 feet of the proposed airport runway(s) or within 300 feet, horizontal measurement, of the primary surface of a proposed helistop or heliport.

e. Interested persons, in order to request a public meeting, must submit a written request to the Department (addresses specified in the Notice of Intent) within 20 days of such notification. Comments may also be submitted, in writing, during this time.

d. If requested in writing, a public meeting shall be conducted prior to the issuance of a site approval order or change of airport license category to a higher use.

e. If after the public meeting, if one is held, and in full consideration of any comments received, the Department determines that the proposed airport can comply with the standards set forth in subparagraph 14-60.005(9)(a)1. 6. and considering the airspace determination from FAA and "area of critical concern" approval from the Florida Department of Environmental Protection (if such approval or determination is applicable), the Department shall issue a site approval order.

f. The site approval order shall state:

(I) The name and mailing address of the applicant;

(II) The location of the proposed airport by geographical coordinates (latitude and longitude); section, township and range; and distance and direction from the nearest community; and

~~(H) Any special conditions which must be met prior to licensing.~~

~~2. That the site has not been developed as an airport within two years of the issuance of the site approval, unless revoked by the Department prior to expiration or development does not comply with conditions of the site approval. A site approval order shall remain in effect for two years from the date of issuance. At the request of the applicant, a current site approval order will be extended for an additional two years for good cause; provided that FAA airspace determination is also extended.~~

~~3. That aircraft have operated on the site prior to airport licensing or registration, except as required for an in-flight emergency. Except in an emergency, aircraft shall not operate to or from an approved site prior to the issuance of an airport license. Aircraft may use an airport site only after construction is complete, the airport is inspected by a Department representative, and an airport license is issued.~~

~~4. That the site is no longer usable for aviation purposes due to physical or legal changes in conditions that were the subject of the approval granted. The Department may revoke a site approval order if it determines, in accordance with Section 330.30(1)(c), F.S.:~~

- ~~a. That there has been an abandonment of a site as an airport;~~
- ~~b. That there has been a failure to comply with the conditions of the site approval order;~~
- ~~e. That a nonemergency aircraft operation has occurred on the site where the site was only approved for emergencies;~~
- ~~d. That because of a change in physical or legal circumstances, the site is no longer usable for the aviation purposes for which site approval was granted.~~

~~Specific Authority 330.29(4), 334.044(2) FS. Law Implemented 330.29, 330.30, 333.03(2), 330.39 FS. History—New 10-29-65, Amended 7-13-71, Revised 11-23-72, Amended 7-18-73, 4-18-76, 11-19-81, 1-8-85, Formerly 14-60.05, Amended 12-26-95, 2-11-97, \_\_\_\_\_.~~

14-60.006 Airport Licenses and Registrations.

(1) Licensing and Registration Requirement. Except for the exemptions provided in Rule 14-60.003, F.A.C., above, or in event of an in-flight emergency, the owner or lessee of any airport in the state of Florida shall have either an airport license or airport registration prior to the operation of aircraft at the site. Application for a license or registration shall be made on Form 725-040-12, Public Airport Site Approval Application, Rev. 02/04, incorporated by reference under Rule 14-60.011, F.A.C. There are no monetary fees required for airport licensing or registration services. Upon compliance with all conditions enumerated in the site approval order, a satisfactory final inspection by a representative of the Department, and payment of the required license fee, an airport license shall be issued subject to any conditions deemed necessary to protect the public health, safety, or welfare.

(a) Public Airport. Public airports shall be licensed after the site approval is granted by the Department, including completion of the public announcement and physical airport inspection process, if the Department finds the facility to be in compliance with all requirements for the license. The license shall be subject to any conditions that are necessary to protect the public health, safety, or welfare.

(b) Private Airport. Private airports shall be registered after the site approval is granted by the Department, including completion of the public announcement process, if the facility is in compliance with all requirements for registration, including self-certification by the registrant of operational and configuration data necessary to ensure compliance with Chapter 330, Florida Statutes, and this rule chapter.

(c) Temporary Airport. Temporary public or private airports shall be initially licensed or registered, respectively, after the site approval is granted by the Department, if the Department finds that the airport will not endanger the public health, safety, or welfare and the airport meets the temporary airport requirements established by the Department.

(2) Airport Licensing. The following provisions apply to airport licensing: The following categories of state airport licenses in descending order of use and fees are established:

(a) Each airport license shall show its effective date and expiration date, which shall be no later than one year after the effective date of the license. However, the Department upon the written request of the licensee shall adjust the expiration date of a license to provide a maximum license period of 18 months if necessary to facilitate airport inspections, recognize seasonal operations, or improve administrative efficiency.

(b) The airport owner or lessee is responsible for requesting annual renewal of the airport license, coordinating an airport inspection, and correcting any airport deficiencies in sufficient time in advance to preclude license expiration. Written renewal requests shall be submitted to the Airport Inspection and Safety Manager at the address above in paragraph 14-60.005(3)(a), F.A.C., by the public airport owner, lessee, or manager at least 90 days prior to the license expiration date.

(c) The Department or its authorized representative will coordinate with the airport owner, lessee, or manager to establish a date and time for the annual inspection. The airport owner, lessee, manager, or a designated representative of the airport shall be made available to accompany the inspector at the time of the inspection in order to participate in the airport inspection. The Department's authorized representative shall have the authority to conduct an inspection of the airport at any time with or without advance notification to the airport owner, lessee, or manager and with or without being accompanied by the airport owner, lessee, manager, or designated representative.



(d) An airport license shall be renewed following a favorable physical inspection, if the Department finds the facility to be in compliance with all requirements for the license.

(e) Any anticipated change in ownership of the airport shall be reported, in writing, to the Airport Inspection and Safety Manager in the Department at the address in paragraph 14-60.005(3)(a), F.A.C., above, at least 90 days prior to the effective date of change of ownership or as soon as possible in order to initiate the license renewal process in the name of the new owner and to ensure the airport license is not allowed to expire.

(f) All airport licenses issued under this section, together with any conditions attached thereto, shall be posted in a prominent place at the airport, accessible to the public. Any limitations on the use of the airport shall be posted adjacent to or on the license.

(g) The Department shall only license an airport that meets established standards unless the Department determines that an airport's exception to established standards is justified by unusual circumstances or is in the interest of public convenience and does not endanger the public health, safety, or welfare. Such a license shall bear the designation "Special" and shall, state the conditions to which the license is granted.

(h) Any licensed airport limited exclusively to the specific, reasonable conditions stated on its airport license, necessary to protect public health, safety, or welfare, shall be designated a "Limited Airport."

License Category	Fee
Public	\$100.00
Private	70.00
Limited	50.00
Temporary	25.00
Emergency	None Required

Each category shall include an airport type according to the following use: airport (land), heliport, helistop, seaplane base, STOLport, LTAport, vertiport, vertistop, and ultralight flightpark.

(3) Airport Registration. The following provisions apply to airport registration: All licensed public use category airports are subject to inspection at any time but shall be inspected at least once during each license period by a representative of the Department.

(a) The expiration date of the current registration period will be clearly identifiable from the state aviation facility data system. The ability to re-certify registered airport data shall be available at all times by electronic submittal, using controlled access, via the Department interactive website.

(b) A private airport registration that has not been re-certified in the 24-month period following the last certification shall expire, unless the Department has adjusted

the registration period for purposes of informing private airport owners of their registration responsibilities or promoting administrative efficiency.

(c) Registration of an airport shall remain valid provided specific contact information and airport data elements, as required by the Department, are periodically re-certified by the airport registrant; including data related to the airport owner/lessee and facility, e.g., owner/lessee name and mailing address, airport name and physical location address, phone, fax, e-mail, and number of runways with length, width, and surface type.

(d) Any registered airport limited exclusively to the specific conditions stated on its airport registration necessary to protect public health, safety, or welfare, shall be designated a "Limited Airport."

(4) Private Airport "Licensing Option." The following provisions are applicable to the option for a private airport to request airport licensing in lieu of airport registration: All public airport licenses shall expire no later than one year after the date on which the license was issued, except that the Department is authorized to adjust the expiration date to provide a maximum license period of eighteen months to facilitate airport inspections, recognize seasonal airport operations, or improve administrative efficiency. If the expiration date is adjusted, the appropriate license fee shall be determined by prorating the annual fee based on the length of the adjusted license period. A temporary license shall expire not later than 90 days from the date of issuance. The expiration date shall be stated on the face of the license. Application for a license shall be made in accordance with Department requirements governing uniform licensing of Florida Airports, which are included in the current Airport License Renewal Application, DOT Form 725-040-13, Rev. 10/96. Upon application, a favorable inspection report indicating compliance with all applicable requirements and conditions, and submittal of the appropriate annual license fee, the Department shall issue the license, subject to any conditions deemed necessary to protect the public health, safety, or welfare.

(a) Any private airport with ten or more based aircraft may request to be licensed by the Department, in lieu of registration.

(b) Private airport owners shall provide written correspondence to the Airport Inspection and Safety Manager of the Department at the address in paragraph 14-60.005(3)(a), F.A.C., above, to request this option.

(c) Any eligible private airport, choosing this option, shall be subject to all of the inspection and licensing procedures contained in this rule chapter that are applicable to all licensed airports.

(d) Department airport licensing standards against which a private airport will be evaluated and will be held accountable in the inspection and airport licensing process shall be the same as those airport standards that are applicable to all licensed airports.

(e) In the case of a proposed new private airport choosing this option for inspection and licensing, the site approval process by the Department shall be in accordance with the procedures contained in this rule chapter for all registered private airports.

(f) Airports licensed according to this exception shall be considered private airports, as defined in Section 330.27, Florida Statutes, in all other respects and shall not be open for public use.

(g) Any private airport having been previously licensed at its request under this option, which is later unable to continue to comply with airport licensing standards or is unable to maintain the required number of based aircraft, shall be reverted by the Department from a licensed airport to the registered airport category.

(g) Any private airport having been previously licensed at its request under this option, which is later unable to continue to comply with airport licensing standards or is unable to maintain the required number of based aircraft shall be reverted by the Department from a licensed airport to registered airport category.

(h) Any private airport having been previously licensed at its request under this option, which subsequently desires to withdraw its prior request to be licensed, shall provide written correspondence to the Airport Inspection and Safety Manager in the Department at the address in paragraph 14-60.005(3)(a), F.A.C., above, to request this private airport be reverted from a licensed airport to the registered airport category.

(5) Temporary Airports. The following provisions apply to temporary, public or private airports: All licensed private, limited, and emergency category airport licenses shall expire no later than five years after the date the license was issued.

(a) A temporary, public or private airport license or registration shall be valid only for less than 30 consecutive calendar days.

(b) A temporary, public or private airport license or registration shall not be renewable for any consecutive periods of activation. Recurring requirements for temporary, public or private airport license or registration for an airport at the same general location will be considered by the Department on a case-by-case basis.

(6) Conditions for Revoking a License or Registration. The Department will revoke or refuse to allow or issue any airport license or license renewal, or any airport registration or re-certification, if the Department determines that any of the following conditions exist or apply: All licensed private, limited, and emergency category airports are subject to

inspection at any time, but shall be inspected at least once during each license period by a representative of the Department.

(a) That the airport registration has not been accomplished within 15 days after the date of expiration.

(b) That the Department has not received an application for renewal of an airport license within 15 days after the date of expiration.

(c) That the site has been abandoned as an airport.

(d) That the airport does not comply with the conditions of the license, license renewal, or site approval.

(e) That the airport has become either unsafe or unusable for flight operations due to the physical or legal changes in conditions that were the subject of approval.

(7) All categories of licensed airports in an inactive status need not be inspected during their inactive status period. However, they shall be inspected to determine if they meet minimum safety standards prior to being cleared to resume normal operations.

(8) Specific conditions will be attached to all private airports, limited airports, and emergency hospital helistops in accordance with the following provisions. Safety considerations and operational procedures will be added as conditions to any aviation facility license to insure the public health, safety, or welfare. Conditions implementing zoning restrictions related to airport operations will also be added as needed to avoid unnecessary disturbance of persons or activities on the ground.

(a) At a minimum, the conditions for a private airport will include:

1. Aircraft operations are limited to use only by the licensee and invited guests. It is the responsibility of each invited pilot(s) to comply with federal flight requirements.

2. Traffic patterns and operational procedures are subject to review by the Department prior to licensing.

(b) At a minimum, the conditions for a limited airport will include:

1. Specific limitation(s) will be listed.

2. Traffic patterns and operational procedures are subject to review by the Department prior to licensing.

(c) At a minimum, the conditions for an emergency hospital helistop will include:

1. Operations are limited to the transfer of patients and medical supplies or flights related to emergency situations.

2. Traffic patterns and operational procedures are subject to review by the Department prior to licensing.

(9) All airport licenses issued under this section, together with any conditions attached thereto, shall be posted in a prominent place at the airport. Any limitations on the use of the airport shall be posted adjacent to the license. In the event there

are no buildings at the airport, the license and any conditions shall be displayed at the office or place of business of the caretaker or manager.

(10) The Department is authorized by Section 330.30(2)(c)2., Florida Statutes, to require a new site approval for an airport if the license of the airport has not been reissued by the expiration date.

(11) If a license renewal application and all required fees have not been received by the Department within 15 days after a previous license expires, the Department is authorized to close the airport.

(12) The Department is authorized to revoke any license or renewal thereof or refuse to issue a license renewal if it determines, in accordance with Section 330.30(2)(f), Florida Statutes, that:

- (a) There has been an abandonment of the airport as such;
- (b) There has been a failure to comply with the conditions of the license; or
- (c) Because of change of physical or legal conditions or circumstances the airport has become either unsafe or unusable for the aeronautical purposes for which the license was issued.

Specific Authority 330.29(4), 334.044(2) FS. Law Implemented 330.29, 330.30 FS. History--New 10-29-65, Amended 7-13-71, Revised 11-23-72, Amended 6-23-76, 11-19-81, 1-8-85, Formerly 14-60.06, Amended 12-26-95, 2-11-97, \_\_\_\_\_.

14-60.007 Airfield Minimum Airport Standards for Licensed Airports.

Airports fulfilling the requirements of the Federal Aviation Administration (FAA) Federal Aviation Regulations, Part 139, incorporated herein by reference, airport certification program shall be considered to meet the minimum standards for licensed airports shown enumerated below. All airports licensed by the state of Florida, whether public or private, shall comply with the following minimum airfield standards. Federal Aviation Regulations, 14 C.F.R., Section 77.25 (March 1993), are hereby adopted as the standard for the criteria used for public use airport runways.

(1) Minimum Landing Area Dimensions for Licensed Airports. Runway design must take into consideration the manufacturer's performance characteristics for the type(s) of aircraft planned for flight operations, as provided by the airport applicant. Runway length must be compatible with the operational and weight characteristics of the aircraft in use. The final decision to attempt a takeoff or landing on a runway of any particular size is ultimately the responsibility of the pilot, who knows the aircraft's performance capabilities and limitations. However, in order to promote a consistent level of safety throughout the Florida Aviation System, all airports licensed by the state of Florida must comply with the following minimum landing area dimensions, i.e., effective landing area length and minimum landing area width, for the type of landing area shown below: Public airports shall be shown on Departmental aeronautical charts and listed in airport directories. Private and emergency airports may be shown on

Departmental aeronautical charts and listed in Departmental airport directories if they carry the appropriate notation. Limited airports will not be shown on Departmental aeronautical charts, unless they have unique landmark or emergency use value.

(a) Runway. The minimum effective landing area length shall be 2,400 feet and the minimum landing area width shall be 60 feet.

(b) Short Field Runway. The minimum effective landing area length shall be 800 feet and the minimum landing area width shall be 60 feet.

(c) Ultralight. The minimum effective landing area length shall be 300 feet and the minimum landing area width shall be 150 feet.

(d) Seaplane. The minimum effective landing area length shall be 2,500 feet and the minimum landing area width shall be 200 feet. Seaplane landing areas shall have a minimum water depth of three feet.

(e) Helipad. The minimum effective landing area length shall be 24 feet and the minimum landing area width shall be 24 feet.

Landing Area Type	Effective Landing Area Length	Minimum Landing Area Width
Runway	2,400 feet	60 feet
Short Field Runway	800 feet	60 feet
Ultralight	300 feet	150 feet
Seaplane*	2,500 feet	200 feet
Helipad	24 feet	24 feet

\*Seaplane landing areas shall have a minimum water depth of three feet.

(2) Landing and Surface Areas for Licensed Airports. Minimum Effective Landing Strip Lengths.

(a) Applicability. The provisions of this section related to licensed airport landing and surface areas are applicable to airport licensing standards and do not apply to airspace obstruction evaluation or permitting provisions in Chapter 333, Florida Statutes, "Airport Zoning," or Rule 14-60.009, Florida Administrative Code, "Airspace Protection." The following minimum effective landing strip lengths and widths are hereby established (also see Charts I, II, III, IV, V, and VI):

EFFECTIVE LENGTH	PRIMARY SURFACE	
	WIDTH	USABLE LANDING WIDTH
PUBLIC 2,000 Feet	250 Feet	60 Feet
PRIVATE 1,800 Feet	100 Feet	50 Feet
LIMITED 1,800 Feet	100 Feet	50 Feet
ULTRALIGHT	See 14-60.007(7)	

EMERGENCY Lengths and widths of emergency airports shall be determined by the Department considering the need for emergency service, the operating characteristics of the aircraft using the site, and the availability of alternative landing sites.

[Editorial Note: Delete Chart I Airport Licensing Minimum Dimensions and Approach Zones]

~~The primary surface of a public use paved runway is defined as extending 125 feet to both sides of the runway centerline and extending 200 feet beyond the end of each paved runway (Chart I). The primary surface of a public use sod or turf runway is defined as extending 125 feet to both sides of the runway centerline and ending at the end of the runway (Chart H). The primary surface of a private or limited runway is defined as extending 50 feet to both sides of the runway centerline and ending at the end of the runway (Chart III).~~

[Editorial Note: Delete Chart II Airport Licensing Minimum Dimensions and Approach Zones Private Airport (Paved and Turf).]

(b) Primary Surface. The “Primary Surface” is a defined surface area that surrounds and protects the landing area. The dimensions of the primary surface vary by type of landing area, weight of the landing aircraft, visibility, and the type of landing approach. Public airports which hold a current airport license, as of January 1, 1996, will maintain their license if they continue to meet the standards under which they were licensed.

1. Airport primary surfaces are rectangular in shape and run longitudinally along the length of the centerline and on either side of the runway. The elevation of any point on the airport primary surface is the same as the elevation of the nearest point on the runway centerline. The consistent width of the primary surface of a runway shall be that width required for the most precise approach for either end of that runway. The following licensed airport primary surface standards apply:

a. For a runway that is not paved; for an aircraft of any weight; and having a visual landing approach – the length of the primary surface is the length of the runway, terminating at the end of the runway and the width of the primary surface is 250 feet.

b. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a visual landing approach – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 250 feet.

c. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a non-precision instrument approach – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 500 feet.

d. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a visual landing approach – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 500 feet.

e. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility greater than 3/4 mile – the

primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 500 feet.

f. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility equal to 3/4 mile – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 1,000 feet.

g. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a precision instrument approach – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 1,000 feet.

h. For an ultralight landing area; for an ultralight aircraft; and having a visual landing approach – the length of the primary surface is the length of the runway, terminating at the end of the runway and the width of the primary surface is 150 feet.

i. For a seaplane landing area; with markers designating the waterway landing and takeoff area; and having a visual landing approach – the length of the primary surface is the length of the waterway, terminating at the end of the waterway and the width of the primary surface is 250 feet.

j. For a seaplane landing area; with no markers designating the waterway landing and takeoff area – the primary surface is not applicable.

2. Heliport primary surfaces have an area that coincides in size and shape with the designated helicopter FATO. The elevation of the heliport primary surface is a horizontal plane at the elevation of the established heliport elevation. The following licensed heliport primary surface standards apply:

a. For a heliport with a visual landing approach – the primary surface length and width are 42 feet each.

b. For a heliport with a non-precision instrument approach – the primary surface length and width are 500 feet each.

c. For a heliport with a precision instrument approach – the primary surface length and width are 1,000 feet each.

(c) Approach Surface. The approach surface is a defined surface area that surrounds and protects the landing approach area. The approach surface is longitudinally centered on the extended runway centerline and extends outward and upward from each end of the runway primary surface. The approach surface horizontal component is trapezoidal in shape with the inner width equal to the width of the primary surface. The outer width flares outward to a greater width depending on the type of landing area, weight of the landing aircraft, visibility, and the type of landing approach. Additionally, the outer width of an approach surface to an end of a runway shall be that width required for the most precise landing approach for that runway end. The approach surface also has a vertical component given by a “ratio,” such as 20:1, which means that for every 20 feet measured, horizontally, the vertical

component increases one foot upward. A specific approach surface is applied to each end of each runway based upon the type of landing approach existing or planned for that specific runway end, meaning that different approach surface dimensions and ratios can exist at opposite ends of the same runway.

1. The following licensed airport approach surface standards apply:

a. For a runway that is not paved; for an aircraft of any weight; and having a visual landing approach – the approach surface ratio is 20:1, the length is 5,000 feet, the inner width is 250 feet, and the outer width of the approach surface is 1,250 feet.

b. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a visual landing approach – the approach surface ratio is 20:1, the length is 5,000 feet, the inner width is 250 feet, and the outer width of the approach surface is 1,250 feet.

c. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a non-precision instrument approach – the approach surface ratio is 20:1, the length is 10,000 feet, the inner width is 500 feet, and the outer approach surface width is 2,000 feet.

d. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a visual landing approach – the approach surface ratio is 20:1, the length is 5,000 feet, the inner width is 500 feet, and the outer width of the approach surface is 1,500 feet.

e. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility greater than 3/4 mile – the approach surface ratio is 34:1, the length is 10,000 feet, the inner width is 500 feet, and the outer width of the approach surface is 3,500 feet.

f. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility equal to 3/4 mile – the approach surface ratio is 34:1, the length is 10,000 feet, the inner width is 1,000 feet, and the outer width of the approach surface is 4,000 feet.

g. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a precision instrument approach – the approach surface ratio is 50:1 for the first 10,000 feet then the ratio is 40:1 for an additional 40,000 feet, the inner width is 1,000 feet, and the outer width of the approach surface is 16,000 feet.

h. For an ultralight landing area; for an ultralight aircraft; and having a visual landing approach – the approach surface ratio is 15:1, the length is 2,500 feet, the inner width is 150 feet, and the outer width of the approach surface is 625 feet.

i. For a seaplane landing area with markers designating the waterway landing and takeoff area and having a visual landing approach – the approach surface ratio is 20:1, the length is 5,000 feet, the inner width is 250 feet, and the outer width of the approach surface is 1,250 feet.

j. For a seaplane landing area with no markers designating the waterway landing and takeoff area – the approach surface is not applicable.

2. The following licensed heliport approach surface standards apply:

a. For a heliport with a visual landing approach – the approach surface ratio is 8:1, the length is 4,000 feet, the inner width is 42 feet, and the outer width of the approach surface is 500 feet.

b. For a heliport with a non-precision instrument approach – the approach surface ratio is 34:1, the length is 10,000 feet, the inner width is 500 feet, and the outer width of the approach surface is 5,000 feet.

c. For a heliport with a precision instrument approach – the approach surface ratio is 50:1, the length is 25,000 feet, the inner width is 1,000 feet, and the outer width of the approach surface is 6,000 feet.

(d) Transition Surface. The transition surface is a defined surface area that surrounds and protects the lateral boundaries of the primary and approach surfaces. The transition surface extends outward and upward at right angles to the runway centerline and the extended runway centerline at a specified ratio from the sides of the primary surface and from the sides of the approach surface. The transition surface has a vertical component given by a “ratio,” such as 7:1, which means that for every 7 feet measured horizontally, the vertical component increases one foot upward. The horizontal component extends laterally a specified horizontal distance or to an unspecified horizontal distance at which a specified height of the vertical component is attained. The dimensions of the transition surface vary by type of landing area, weight of the landing aircraft, visibility, and the type of landing approach.

1. The following licensed airport transition surface standards apply:

a. For a runway that is not paved; for an aircraft of any weight; and having a visual landing approach – the transition surface is not applicable.

b. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a visual landing approach – the transition surface is not applicable.

c. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a non-precision instrument approach – the transition surface ratio is 7:1 and the horizontal length is to the point where the vertical height component is 150 feet.

d. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a visual landing approach – the transition surface is not applicable.

e. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility greater than 3/4 mile – the transition surface ratio is 7:1 and the horizontal length is to the point where the vertical component is 150 feet.

f. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility equal to 3/4 mile – the transition surface ratio is 7:1 and the horizontal length is to the point where the vertical component is 150 feet.

g. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a precision instrument approach – the transition surface ratio is 7:1 and the horizontal length is to the point where the vertical height component is 150 feet.

h. For an ultralight landing area; for an ultralight aircraft; and having a visual landing approach – the transition surface is not applicable.

i. For a seaplane landing area; with markers designating the waterway landing and takeoff area; and having a visual landing approach – the transition surface is not applicable.

j. For a seaplane landing area; with no markers designating the waterway landing and takeoff area – the transition surface is not applicable.

2. The following licensed heliport transition surface standards apply:

a. For a heliport with a visual landing approach – the transition surface ratio is 2:1, which extends horizontally for a distance of 250 feet.

b. For a heliport with a non-precision instrument approach – the transition surface ratio is 4:1, which extends horizontally for a distance of 350 feet.

c. For a heliport with a precision instrument approach – the transition ratio is 7:1, which extends horizontally for a distance of 35 feet.

Landing Area		Primary Surface		Approach Surface				Transition Surface	
Surface	Approach	Length	Width	Ratio	Length	Width		Ratio	Distance
						Inner	Outer		
Not Paved	Visual	End of Runway	250 feet	20:1	5,000 feet	250 feet	1,250 feet	N/A	N/A
Paved & Aircraft Weight <= 12,500 Pounds	Visual	200 feet Beyond End of Runway	250 feet	20:1	5,000 feet	250 feet	1,250 feet	N/A	N/A
	Non Precision	End of Runway	500 feet	20:1	10,000 feet	500 feet	2,000 feet	7:1	150 feet Vertical
Paved & Aircraft Weight > 12,500 Pounds	Visual	200 Feet Beyond End of Runway	500 feet	20:1	5,000 feet	500 feet	1,500 feet	N/A	N/A
	Non Precision Visibility > 3/4 Mile		500 feet	34:1	10,000 feet	500 feet	3,500 feet	7:1	150 feet Vertical
	Non Precision Visibility = 3/4 Mile	1,000 feet	34:1	10,000 feet	1,000 feet	4,000 feet	7:1	150 feet Vertical	
	Precision	1,000 feet	50:1 Then 40:1	10,000 feet Then 40,000 feet	1,000 feet	16,000 feet	7:1	150 feet Vertical	
Helicopter Final Approach and Takeoff Area (FATO)	Visual	42 feet	42 feet	8:1	4,000 feet	42 feet	500 feet	2:1	250 feet Vertical
	Non Precision	500 feet	500 feet	34:1	10,000 feet	500 feet	5,000 feet	4:1	350 feet Vertical
	Precision	1,000 feet	1,000 feet	50:1	25,000 feet	1,000 feet	6,000 feet	7:1	350 feet Vertical
Ultralight Area	Visual	End of Runway	150 feet	15:1	2,500 feet	150 feet	625 feet	N/A	N/A
Seaplane Marked	Visual	End of Runway	250 feet	20:1	5,000 feet	250 feet	1,250 feet	N/A	N/A
Seaplane Not Marked	Visual	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

(3) Thresholds and Displaced Thresholds for Licensed Airports. The threshold is the beginning of that portion of the runway available for landing. Any obstacle, natural or manmade, in the landing approach path to the runway that, because of its height, penetrates through the specified approach ratio to that runway constitutes an obstruction and a hazard to air navigation. Until the hazardous obstruction is removed, it shall be necessary to adjust the approach path by moving or displacing that threshold point down the length of the runway to some “Displaced Threshold” position, at which safe aircraft passage above the obstruction is assured. Approach Zones:

(a) For visual runways, a minimum 20:1 approach ratio to the threshold or displaced threshold shall be maintained. If the approach ratio is less than 20:1 to the threshold or displaced threshold, the runway shall be displaced the distance necessary to maintain a 20:1 ratio. If the displaced threshold location reduces the effective runway length below the minimum effective length requirements, that end of the runway shall be closed until the obstruction causing the displacement is removed. The approach zone for public airports is a zone based on a 20 to 1 approach slope, increasing gradually in width from 250 feet (125 feet either side of the extended runway centerline), at the ends of the primary surface (200 feet beyond the ends of each usable paved runway) to a width of 850 feet at

a distance of 3,000 feet outward from the ends of the primary surface. On turf or sod runways, the approach zone has the same dimensions but starts precisely at the end of the runway (Charts I and II).

(b) For instrument runways, the approach ratio for determining the location of the displaced threshold shall be determined by the maximum instrument approach category: 20:1 for utility, non-precision approach runways; 34:1 for other than utility, non-precision approach runways; and 50:1 for precision approach runways. The approach zone for private and limited airports is a trapezoidal area increasing gradually in width from 50 feet on both sides of the extended runway centerline at the ends of each usable runway, to a width of 350 feet on both sides of the extended runway centerline at a distance of 3,000 feet outward from the ends of each runway. (See Chart III.)

(e) ~~The approach zone for public, private and limited STOLports are the same as public, private and limited airports, respectively, with the following exceptions:~~

1. ~~The approach zone for STOLports shall be clear of obstructions above a glide path of 15 to 1 from the ends of each primary surface.~~

2. ~~For STOL aircraft the minimum effective runway length shall be taken from the appropriate performance source chart in the technical manual for the STOL-type airplane which uses the STOLport. This chart gives the distance necessary to takeoff and clear a 50-foot obstacle at the maximum gross weight of the aircraft at 90 degrees Fahrenheit. This distance will be the minimum effective runway length allowed for the STOLport.~~

~~(d) Vertiports approach and landing surfaces shall meet the standards defined in the current FAA Advisory Circular 150/5390-3, Vertiport Design.~~

~~(e) Except for Heliports, Helistops, Vertiports, Vertistops, LTAports, and STOLports, and Ultralight Flightparks, approach zones shall be clear of obstructions above a glide path of 20 to 1 from the ends of each threshold. When the approach zone to any runway crosses a road or railroad, the glide path shall pass at least 15 feet above any portion of a traffic lane, 17 feet above any portion of an interstate highway and at least 23 feet above the nearest rail of the railroad.~~

(4) Vertical Approach Clearance for Licensed Airports. When the landing approach to any runway crosses a road, railroad, traverseway, or waterway, the aircraft landing approach glide path shall provide the following minimum vertical clearance over ground objects: Public, Private, and Limited Airport (Land) Improvements.

(a) Seventeen feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where over-crossings are designed for a minimum of 17 feet vertical distance. All public airports (land) including those with agriculture applicators, shall comply with 1. through 5. below; public airports with other commercial aviation activity, shall

~~comply with 1. through 8. below. Private airports shall comply with only 1. and 2. below unless special circumstances require additional facilities. Limited airports need not comply with 1. through 8. below unless safety considerations require otherwise.~~

(b) Fifteen feet for any other public roadway.

(c) Ten feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road.

(d) Twenty-three feet for a railroad.

(e) For a waterway or any other traverseway not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it.

~~1. Department or FAA approved markers shall be installed on both sides of unpaved runways at 200-foot intervals along the usable width (sides). Three markers shall be placed at five-foot intervals on each side of the end of the runway, perpendicular to the centerline of the runway. Each set of three markers shall start at the corner of the runway and run towards the centerline of the runway on the endline. Displaced thresholds at non-paved public and private airports shall be marked with at least three markers on each side of the landing thresholds area where the effective length commences. The displaced threshold markers shall be no more than five feet apart, similar to the runway outline markers, and placed, clear of the runway, on a center line 90 degrees to the runway heading (Chart IV). STOLports and LTAports shall be marked according to current FAA recommended markings, or as deemed appropriate by the Department.~~

~~[Editorial Note: Delete Chart IV Airport Licensing Runway Markings Turf Runway.]~~

~~2. Department or FAA approved type wind indicator(s) shall be installed.~~

~~3. Three-point tie-down facilities capable of withstanding wind gusts of 50 knots or greater shall be available for each unhangared based aircraft. Transit tie-downs shall be provided for at least five aircraft.~~

~~4. Suitable areas for automobile parking and for the visiting public shall be adequately marked or enclosed by fence to prevent accidents.~~

~~5. Except at ultralight flightparks, an approved 75-foot diameter airport circle marker (segmented circle) shall be installed at airports, without control towers, which have other than standard traffic patterns.~~

~~6. At least two accessible fire extinguishers shall be available which are capable of extinguishing all classes of fire.~~

~~7. A telephone shall be available at the airport.~~

~~8. Each airport shall have aircraft service on call during published hours.~~

(5) Runway Safety Areas for Licensed Airports. The runway safety area is a defined surface surrounding the runway designed to provide an additional measure of safety by being a specially prepared or a suitable ground surface intended to

reduce the risk of damage to aircraft in the event of an undershoot, overshoot, or excursion from the runway. The following licensed airport runway safety area standards apply: Seaplane Bases.

(a) Runway (Not Paved). For a runway that is not paved, the runway safety area shall have a length equal to the length of the runway, terminating at the end of the runway, and the runway safety area shall have a width of 120 feet. ~~No seaplane base shall be approved which requires aircraft to land or take off in close proximity to a bridge, public beach, power line, boat dock or other area which could constitute a danger to persons or property.~~

(b) Runway (Paved). For a runway that is paved, the runway safety area shall have a length that extends the length of the runway plus 240 feet beyond each end of the runway and the runway safety area shall have a width of 120 feet. ~~If a seaplane is to be based, moored, or hangared at any given location in Florida, a Florida airport license must be obtained.~~

(c) Ultralight Landing Area. An ultralight landing area shall have a runway safety area whose length is 300 feet and width is 150 feet. ~~All public seaplane bases shall have, in addition to the facilities required of land airports (where applicable), the following minimum services facilities:~~

- ~~1. At least three U.S. Coast Guard approved life preservers of the ring or throwing type, with sufficient line attached to each, shall be kept available during hours of operation.~~
- ~~2. An operable propelled boat (an outboard is permissible) shall be immediately available at all times when flights are in progress.~~
- ~~3. A dock or float, suitable for the type of seaplane using the base, shall be so located as to afford the maximum degree of safety in taxiing approach.~~
- ~~4. Suitable beaching facilities for the type of aircraft using the base shall be provided. Where an adequate ramp is maintained, the dock or float may be omitted.~~
- ~~5. A source of fresh water at the beaching area and sufficient hoses for washing aircraft shall be accessible.~~
- ~~6. An adequate supply of line for heaving, towing, securing, or rescue operation shall be kept available.~~
- ~~7. The minimum water depths and landing area lengths shall be posted at the dock area and noted.~~

(d) Heliport. A heliport shall have a runway safety area whose length extends 20 feet beyond the FATO and a width of 20 feet. ~~Seaplane base standards as defined in the current FAA Advisory Circular 150/5395-1, Seaplane Bases, are incorporated herein by reference.~~

(e) Seaplane. A seaplane landing area shall be exempt from the requirement for having a runway safety area.

Landing Area Type	Safety Area Length	Safety Area Width
Runway (Not Paved)	End of Runway	120 feet
Runway (Paved)	240 feet Beyond End of Runway	120 feet
Ultralight	300 feet	150 feet
Heliport	20 feet Beyond FATO	20 feet
Seaplane	N/A	N/A

(6) Runway Pavement Standards for Licensed Airports, Heliports and Helistops-

(a) Pavement Coefficient of Friction. The “Mu” value is an indicator of the resistance to motion of two moving objects or surfaces that touch. For runway pavement, the value indicates the capability of the runway surface, in contact with aircraft tires, to provide a suitable environment for aircraft braking action to enable the aircraft to come to a safe stop under wet weather conditions. All categories of heliports and helistops which hold a current license as of January 1, 1996, will maintain their license if they continue to meet the standards under which they were licensed.

1. “Mu” values are variably determined based on the type of measuring equipment used to evaluate the pavement coefficient of friction as shown in Table 4, below. However, regardless of the type of measuring equipment, when the “mu” value on a wet runway pavement surface is determined to be below the equipment’s “minimum” acceptable value for a distance of 500 feet and the “mu” value of the two adjacent 500-foot segments (before and after the minimum segment) are also below the equipment’s acceptable value for “maintenance” planning, the runway pavement shall be considered by the Department to not meet acceptable licensed airport standards.

2. Temporary remedies may include displacement of the threshold, shortening the length of the runway to no less than the minimum effective length as shown in subsection 14-60.007(1), F.A.C., or closing the runway until permanent corrective action can be completed.

3. Depending on the number of runways available and the extent of pavement coefficient of friction deficiencies, failure to implement temporary or permanent remedies will result in the Department revoking the airport license on the ground that the airport has become unusable due to unsafe conditions per paragraph 14-60.006(6)(e), F.A.C.



Equipment Manufacturer Testing Meter Type	"Mu" Value at 40 mph Test Speed			"Mu" Value at 60 mph Test Speed		
	Minimum	Maintenance	New	Minimum	Maintenance	New
Mu Meter	0.42	0.52	0.72	0.26	0.38	0.66
K. J. Law Runway Friction Tester	0.50	0.60	0.82	0.41	0.54	0.72
Airport Equipment Company Skiddometer	0.50	0.60	0.82	0.34	0.47	0.74
Airport Surface Friction Tester	0.50	0.60	0.82	0.34	0.47	0.74
Airport Technology USA Safegate Friction Tester	0.50	0.60	0.82	0.34	0.47	0.74
Findley, Irving, LTD Gripmaster Friction Meter	0.43	0.53	0.74	0.24	0.36	0.64
Tatra Friction Tester	0.48	0.57	0.76	0.42	0.52	0.67
Norseman RUNAR (Operated at Fixed 16% Slip)	0.45	0.52	0.69	0.32	0.42	0.63

(b) Pavement Condition Index. The "Pavement Condition Index" ("PCI") value is an indicator of the integrity and viability of a runway surface with a focus on pavement cracking, swelling, rutting, and depressions. For runway pavement, the value indicates the capability of the runway surface, in contact with aircraft tires, to provide a suitable environment for maintaining aircraft directional control, which may be adversely affected by runway undulations, or for preventing foreign object damage. Foreign object damage can result from pavement spalling, which may dislodge small or large pieces of pavement that could severely damage aircraft control surfaces or propellers, penetrate aircraft wing or fuselage surfaces protecting flammable fuel tanks or other critical components, or be ingested into turbo-jet or turboprop-jet engine intakes with potential catastrophic loss of power during critical phases of flight. All categories of heliports and helistops shall comply with the following minimum standards:

1. The standard measurement of PCI results in seven ratings from "Excellent" to "Failed," as shown in Table 5, below. Industry standards to objectively and consistently characterize and evaluate runway pavements are available from the American Society of Testing Material, based on FAA guidance, incorporated herein by reference. A runway PCI value of 10 or below indicates that the pavement has deteriorated significantly and the runway pavement shall be considered by the Department to not meet acceptable licensed airport standards. A minimum primary surface area shall be provided with length and width or diameter dimensions equal to at least 1.5 times the overall length of the largest helicopter

intended to use the facility; however, a primary surface with 300 foot length and width or larger shall be accepted as sufficient to accommodate all helicopters.

2. Temporary remedies may include displacement of the threshold, shortening the length of the runway to no less than the minimum effective length as shown in subsection 14-60.007(1), F.A.C., or closing the runway until permanent corrective action can be completed. Centered within the primary surface shall be a minimum touch-down area with length and width or diameter equal to 1.5 times the design helicopter's undercarriage length or width whichever is greatest. However, a touch-down area with 100 foot length and width or diameter centered within a 300 foot primary surface, shall be sufficient to accommodate all helicopters. Smaller touch-down areas, not less than 20 feet in diameter, will be approved for heliports/helistops located on man made structures if safe for proposed aircraft use. The perimeter of a heliport or helistop raised more than 30 inches above the surrounding surface shall have a horizontal safety net or shelf installed.

3. Depending on the number of runways available and the extent of pavement condition index deficiencies, failure to implement temporary or permanent remedies will result in the Department revoking the airport license on the ground that the airport has become unusable due to unsafe conditions per paragraph 14-60.006(6)(e), F.A.C. There shall be a minimum of one approach/departure corridor with floor and side planes as follows: the floor plane shall provide an 8 to 1 obstruction clearance and shall coincide in width with the required primary surface width at the boundary and proceed outward, flaring horizontally at a 10 to 1 rate on both sides until it reaches 500 feet wide. Where the floor plane is less than 500 feet wide, the side planes extending out from the floor plane or the primary surface shall provide a 2 to 1 obstruction clearance out to the required 500 foot corridor width. The approach/departure or takeoff paths for both public and private use heliports may curve to avoid objects or noise sensitive areas (Chart V).

Qualitative Rating	PCI Value	
	Minimum	Maximum
Excellent	86	100
Very Good	71	85
Good	56	70
Fair	41	55
Poor	26	40
Very Poor	11	25
Failed	0	10

[Editorial Note: Delete Chart V Heliport/Helistop Dimensions.]

~~4. There shall be markings consisting of any FAA approved design, including the load bearing capacity of the touch-down area located on a structure, indicating the maximum allowable gross weight of a landing helicopter in thousands of pounds. The dimensions of the identifying markings shall be as large as practical, but not less than 10 feet in height. The markings should be oriented to be legible from the preferred direction of approach. To assure recognition, hospital heliports and helistops and emergency evacuation facilities should be marked according to the current FAA AC 150/5390-2.~~

~~5. A Department or FAA approved wind indicator shall be located so as to be clearly visible to landing helicopters but not within the primary surface and not a hazard to flight. Both the wind indicator and the takeoff/landing area shall be lighted for night operations.~~

~~6. Fire protection of at least two 30 pound dry chemical extinguishers (foam compatible) or equivalent (not required for limited or emergency helistops) shall be available. In addition, public heliports/helistops shall provide an effective safety barrier to protect the public from entering the primary surface and when the public heliport/helistop is located on top of a building, egress shall be provided at two separate locations.~~

~~7. Helistops at or adjacent to licensed hospitals shall require a helistop license, but there shall be no fee connected with such licensing of an emergency helistop provided the helistop is used only for the emergency transportation of patients, supplies, or flights related to emergency situations at the hospital or ready alert for medical assistance on call, and is not used for routine transportation of any person to or from the hospital.~~

~~8. Applications for elevated heliports or helistops on structures shall not be complete unless certification by a registered architect or professional engineer as to the maximum allowable rotorcraft weight is received.~~

~~9. Helicopters may land on licensed public use airports either on or off the landing surface within the airport boundaries at the discretion of the pilot when such landings are in agreement with FAA rules and regulations and the airport's policies. The safety of approaches and departures shall be the pilot's responsibility.~~

~~10. Helicopters may land at private use airports, at the specific invitation of the airport owner, either on or off the airport runway, primary surface, or surrounding property if the helicopter landing site and the intervening property are owned or controlled by the airport owner. These landings shall be in accordance with FAA rules and regulations. The pilot of the helicopter will be responsible to insure the safety of approaches and departures. Zoning of the landing area must be appropriate.~~

~~(b) Any heliport/helistop conforming with FAA recommendations in the current AC 150/5390-2A (January 20, 1994) Heliport Design, shall be deemed in compliance with these rules.~~

~~(7) Airfield Requirements for Licensed Airports. All licensed airports shall comply with items (a) through (f), below. Licensed facilities that include a seaplane landing area shall comply with items (a) through (g), below: Ultralight Flightparks.~~

~~(a) At least one 15-knot, 8-foot long windsock shall be installed at the airport. The windsock shall be lighted if the landing area is lighted. All public ultralight landing area shall be licensed if the site lies within five nautical miles of a publicly licensed or military airport. Any ultralight landing areas shall be licensed if there are more than 10 ultralight vehicles which operate regularly from the site.~~

~~(b) Except at ultralight flightparks, an approved 75-foot diameter airport circle marker (segmented circle), including aircraft traffic pattern indicators, shall be installed at airports without control towers, which have other than standard traffic patterns. The segmented circle shall be lighted, if the landing area is lighted. Any aircraft tie-downs or moorings used to secure aircraft shall be located outside of the landing area, primary surface, and transition surface areas. Public category ultralight landing areas shall be at least 500 feet in length and have at least 150 feet of usable surface width.~~

~~(c) Airport operators shall be required to establish and enforce effective control of unauthorized vehicles and pedestrian access within the aircraft movement areas. Any aircraft tie-downs or moorings used to secure aircraft shall be located outside of the landing area, primary surface, and transition surface areas. Private category ultralight landing areas shall be at least 500 feet in length and have at least 150 feet of usable surface width.~~

~~(d) Limited category ultralight landing areas shall be at least 250 feet in length and have at least 75 feet of usable surface width.~~

~~(d)(e) At least two category 80-B-C, or higher, type fire extinguishers shall be available at the airport, readily accessible, operationally functional, bear an unbroken seal, and be locked in an area clearly identified to the public. Ultralight landing area approach/departure corridors shall be clear of obstructions above a glide path of 10 to 1 from the edge of the landing area and of the dimensions as shown on Chart VI.~~

~~(e)(f) An operational public telephone shall be available at the airport on a 24-hour basis and its location shall be clearly identified to the public. Department approved ultralight landing area boundary markers shall be required for all sites open to the public. Such markers must be highly visible from the air and of a type that will not damage an aircraft, such as soft cones made of rubber, plastic or other frangible material,~~

~~automobile tires painted white, PVC pipe, gallon milk jugs filled with sand or water, or white colored paving stones that are flush with the turf of the runway.~~

(f) Airports having seaplane landing areas shall have at least one U.S. Coast Guard approved life preserver of the ring or throwing type with a retrieval line attached to each, readily available during hours of operation.

[Editorial Note: Delete Chart VI Ultralight Landing Area.]

(8) Additional Responsibilities for Licensed Airport. The following miscellaneous safety regulations shall be observed:

(a) Airport hazards determined to exist by the Department shall be removed. Hazards and obstructions as determined by the Department shall be marked.

(b) Obstructions shall be marked and or lighted in accordance with Rule 14-60.009, F.A.C., and for those obstructions to which Section 333.025, Florida Statutes, applies, shall be permitted pursuant to that section, or may be subject to variance under a local zoning ordinance. Any part of a landing area which has become temporarily unsafe, or which for any reason is not available for use, shall be marked by appropriate indicators which clearly show the boundaries of such danger areas. If the airport is used for nighttime operations, such danger shall be marked with lights.

(c) The airport licensee shall notify the Department, in writing, at least 60 days before any scheduled construction, alteration, improvements, major repairs, or modification to the size or shape of the landing area is begun. Any such requirements made necessary by emergency or unforeseen circumstances shall be given verbally to the Department, as soon as possible, and be followed by written notification with seven calendar days. The airport licensee shall immediately notify the Department in writing whenever alterations, improvements, major repairs or the size or shape of the landing area is to be changed.

(d) Fencing, signing or other markings as required for safety at a licensed airport shall be installed by the airport owner or lessee.

(d)(e) The owner or lessee shall maintain the field in a usable condition. If the airport becomes dangerous or is not usable, it shall be the responsibility of the airport owner or lessee to mark the danger area by means of flags or to indicate the closing of such airport or runway by an "X<sub>2</sub>" clearly visible from the air or in an appropriate manner consistent with the exigencies of the situation. The owner or lessee shall report, in writing, to the Department any planned or emergency work in progress on the field and any proposed changes or conditions which might render the field unsafe for use.

(e)(f) The owner or lessee of a closed, unlicensed, or abandoned airport shall remove all airport identifying markers and wind indicators and shall place upon the runway or runway intersection a Department approved "closed runway" marking marker, which shall be in accordance with FAA Advisory Circular 150/5340-1G (September, 27, 1993), which is hereby

~~incorporated by reference. This marker shall be maintained until the runway is no longer identifiable. The Department will is authorized to cause the airport to be marked if the owner does not properly mark it within 60 days of notice, and will assess such costs to the owner or lessee. The cost of such safety measures shall be filed as a lien against the airport property.~~

(g) The Department is authorized to act to enforce the Federal Aviation Regulations and may request that NOTAMS (Notice to Airmen) be issued in accordance with FAA AC 150/5200-28A (October 29, 1993), which is incorporated by reference. By acceptance of the airport license the airport licensee agrees to allow the Department to issue NOTAMS for his airport when, in the opinion of the Department, flight safety so requires.

(h) Owners or lessees of private and limited licensed airports shall take whatever action necessary to prohibit the use of the facility by aircraft of such horsepower, weight and/or performance characteristics that would result in dangerous landing or takeoff conditions to either the occupants of the aircraft or to persons or property in the vicinity of the airport.

(9) Airport Marking. The following airport marking requirements apply to licensed airports:

(a) Non-Paved Runway Markings. Mmarkers shall be installed on both sides of non-paved runways at 200 foot intervals along the edge of the usable runway width. Three markers shall be placed at 10 foot intervals on each side of each end of the runway, perpendicular to the centerline of the runway. Each set of three markers shall start at the corner of the runway and run toward the centerline of the runway on the runway endline. Displaced thresholds at non-paved licensed airports shall be marked with at least three markers on each side of the displaced landing thresholds area where the effective runway length begins. The displaced threshold markers shall be no more than 10 feet apart, similar to the runway edge markers, and be placed, clear of the runway, on a centerline 90 degrees to the runway heading.

(b) Runway Designation Markings. Runway designation markings shall be white and shall consist of a number and shall be supplemented by a letter on parallel runways. The number shall specify the whole number to the nearest ten degrees of the magnetic azimuth when viewed from the direction of the approach. The size and spacing of the numbers and letters shall only be reduced when space is limited. All numerals except the number "11" shall be horizontally spaced fifteen feet apart. The number "11" shall be spaced 27 feet apart. A zero ("0") shall not precede single digits. The numeral "1," when used alone, shall contain a horizontal bar at the bottom of the numeral to differentiate it from the runway centerline marking. Single digits shall be centered on the runway centerline. Double digits shall be centered on the runway centerline at the point that is halfway between the outer edges of the two numerals. Letters, such as "L," "C," or "R" for Left, "Center," or "Right," shall be stacked beneath the number at a distance of

20 feet. The base of the letter or number shall start 20 feet from the threshold or 40 feet from threshold markings. Digits shall be 60 feet tall. The lines comprising the digits shall be five feet wide. Digits shall be proportional and must be between 6 and 7.5 feet wide.

(c) Runway Centerline Markings. Runway centerline markings shall be white and shall identify the physical center of the usable runway surface and shall extend the length of the runway. The stripes shall be 120 feet in length. The gaps shall be 80 feet in length. The minimum width of the stripe shall be 12 inches. The stripes shall begin 40 feet from the top of the runway designation marking.

(d) Threshold Bars. Threshold bars shall be white and shall delineate the beginning of the runway that is available for landing. The threshold bar shall be ten feet wide and shall extend across the width of the runway.

(e) Arrows and Arrowheads. Arrows and arrowheads shall be white and shall be used to identify a displaced threshold. Arrowheads, used in conjunction with a threshold bar to highlight the beginning of the runway, shall be placed five feet before the threshold bar and shall be spaced two feet apart for runways 60 feet wide, 3 feet apart for runways between 60 and 100 feet wide, and four feet apart for runways over 100 feet wide. Arrows shall be provided in the portion of the runway before the displaced threshold. Arrowheads shall be 45 feet long, 15 feet wide, and have stripes 3-foot wide. Arrow tails shall be 80 feet long and 18 inches wide. The overlap between the arrowheads and tails shall be five feet. Arrows shall be spaced 80 feet apart.

(f) Holding Position Markings (Paved Taxiways). Holding position markings for paved taxiways shall be yellow and shall identify the location where a pilot should be assured that there is adequate separation with other aircraft before proceeding onto the runway. Holding position markings consist of four lines and three spaces each 6-12 inches wide. The solid lines shall always be on the side where the aircraft is to hold. The two dashed lines and spaces shall be three feet long. The markings shall extend completely across the taxiway. The markings shall be installed perpendicular to the taxiway centerline, but may be angled as needed where two or more taxiways intersect at the hold line. Holding position markings shall be placed 125 feet from visual runways serving small aircraft, 150 feet from visual runways serving large aircraft or with non-precision approaches, and 200 feet from runways with a precision approach.

(g) Holding Position Signs (Unpaved Taxiways). Holding position signs for unpaved taxiways shall be located outside the primary surface on the left side of the taxiway for a taxiway that is less than or equal to 150 feet wide or on both sides of taxiways that are greater than 150 feet wide. The sign shall consist of the runway designation numbers separated by a dash such that their arrangement indicates the direction to the corresponding runway threshold. The numbers shall be white

on a red background. Mounting legs for each sign shall be frangible. The sign face shall be no less than 18 inches tall and 30 inches wide. The runway designation numbers shall be no less than 12 inches tall. The sign shall stand no more than 42 inches high.

(h) Helipad. Helipad markings shall be white and are used to mark the intended landing position within the FATO. The marking shall consist of an in-ground letter "H" oriented on the axis of the dominant landing and takeoff path. The "H" shall be a minimum of 19 feet tall and 12.5 feet wide. The vertical lines shall be 16 inches wide. The horizontal line shall be 32 inches wide.

(i) TLOF. TLOF perimeters shall be defined by a continuous white solid line one foot wide.

(j) FATO. FATO perimeters shall be defined with white dashed lines, which shall be 1-foot wide and five feet long and shall join to define the FATO corners.

(k) Closed Runway Markings. Closed runway markings shall be yellow and consist of an "X" centered on the runway centerline at each end of the runway and at 1,000 foot intervals. The "X" shall be 60 feet across and each arm shall be 10 feet wide and 25 feet long. If the "closed" runway intersects an "open" runway, an "X" shall be placed on each side of the "open" runway. Runway designation markings and runway threshold markings shall be obliterated on closed runways.

(l) Common Marking Requirements:

1. Glass beads shall be required for all permanent pavement markings.

2. All markings on light colored pavements shall be outlined with a black border six inches or greater in width.

(10) Airport Lighting. The Department does not require airports to be lighted. However, if an airport is lighted, it shall comply with the following standards. The minimum lights that shall be provided are threshold and runway end lights, displaced threshold lights, segmented circle lights, FATO or TLOF lights, and windsock lights. All lights shall be on flush or frangible mounts not more than 14 inches tall. The following airport lighting requirements shall apply to licensed airports:

(a) Runway Edge Lights. Runway edge lights shall emit white light except that yellow light is substituted for white light on the last 2,000 feet of an instrument runway, or one-half of the runway length, whichever is less, to indicate the caution zone.

(b) Threshold and Runway End Lights. Threshold and runway end lights shall be located on a line perpendicular to the extended runway centerline not less than two feet nor more than ten feet outboard from the designated threshold of the runway. The lights shall be installed in two groups located symmetrically about the extended runway centerline. For instrument runways, each group shall contain four lights; for other runways, each group shall contain three lights. The outmost light in each group shall be located in line with the runway edge lights. The other lights in each group shall be

located on 10 foot centers toward the extended runway centerline. The lights shall be red on the inboard half and green on the outboard half.

(c) Displaced Threshold Lights. Displaced threshold lights shall be located outboard of the runway. The innermost light of each group shall be located in line with the runway edge lights, and the remaining lights shall be located outward on 10 foot centers on a line perpendicular to the runway centerline. The runway end lights shall be red all the way around. The displaced threshold lights shall be green on the outboard half. The inboard half of displaced threshold lights shall be yellow for an instrument runway and white for a visual runway.

(d) Taxiway Edge Lights. Taxiway edge light shall emit blue light.

(e) FATO or TLOF Lights. FATO or TLOF lights shall emit yellow light and shall define the limits of the FATO or TLOF. Both FATO and TLOF lights shall not be lit concurrently.

Specific Authority 330.29(4), 334.044(2) FS. Law Implemented 330.29, 330.30 FS. History—New 10-29-65, Revised 11-23-72, Amended 4-18-76, 11-19-81, 1-8-85, Formerly 14-60.07, Amended 12-26-95, \_\_\_\_\_.

~~14-60.009 Airspace Protection and Obstruction Marking and Lighting.~~

~~(1) Airspace Obstruction Permit. For purposes of Rule 14-60.009, the definitions in Section 333.01, Florida Statutes, shall apply.~~

~~(a) Any person proposing the erection, alteration, or modification of any structure that would exceed federal obstruction standards and which lies within the Department's jurisdictional area of responsibility, is required to obtain an airspace obstruction permit from the Department. However, such airspace obstruction permits shall be required only where the proposed site is within a ten nautical mile radius of the geographical center of a publicly owned or operated airport, a military airport, or an airport licensed by the state for public use.~~

~~(b) An Airspace Obstruction Permit Application, DOT Form 725-040-11, Rev. 02/04, incorporated by reference under Rule 14-60.011, F.A.C., with all required supporting documentation shall be submitted to: Airspace and Land Use Manager, Florida Department of Transportation, 605 Suwannee Street, M. S. 46, Tallahassee, Florida 32399-0450.~~

~~(c) In determining whether to issue a permit, the Department shall consider:~~

~~1. The nature of the terrain and height of existing structures.~~

~~2. Public and private interests and investments.~~

~~3. The character of flying operations and planned developments of airports.~~

~~4. Federal airways as designated by the Federal Aviation Administration.~~

~~5. Whether the construction of the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport.~~

~~6. Technological advances.~~

~~7. The safety of persons on the ground and in the air.~~

~~8. Land use density.~~

~~9. The safe and efficient use of navigable airspace.~~

~~10. The cumulative effects on navigable airspace of all existing structures, proposed structures identified in the applicable jurisdictions' comprehensive plans, and all other known proposed structures in the area.~~

~~(d) The Department shall not approve an airspace obstruction permit unless the applicant submits documentation showing compliance with the federal requirement for notification of proposed construction and a valid FAA aeronautical determination. No permit shall be approved solely on the basis that the proposed structure will not exceed federal obstruction or any other federal aviation regulation.~~

~~(e) The Department shall issue or deny an airspace obstruction permit within 30 days of receipt of a completed airspace obstruction permit application.~~

~~(f) Any airspace obstruction permit granted by the Department shall require the applicant's compliance with obstruction marking and lighting standards contained herein.~~

~~(2) Local Government Ordinance. Any local government airport zoning ordinance, concerning airport hazards, adopted in accordance with Chapter 333, Florida Statutes, shall require obstruction marking and lighting in compliance with the marking and lighting standards set forth in this rule chapter. The Department shall enforce the provisions of Chapter 333, Florida Statutes, as to airspace, obstruction marking and lighting and airport zoning.~~

~~(3) Local Government Variance. Any person filing a request with a local government for a variance from an airport zoning ordinance in order to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use property contrary to the airport zoning regulations shall forward a copy of the application to the Department by certified mail, to the Airspace and Land Use Manager at the Department address in paragraph 14-60.009(1)(b), F.A.C., above. An Airspace Obstruction Permit Application, DOT Form 725-040-11, Rev. 10/96, shall be submitted to: Florida Department of Transportation, Aviation Office, MS 46, 605 Suwannee Street, Tallahassee, Florida 32399-0450. The Department shall grant or deny the permit in accordance with Chapter 333, Florida Statutes. The Department shall not approve a permit unless the applicant submits both documentation showing compliance with the federal requirement for notification of proposed construction and a valid aeronautical evaluation. No permit shall be approved solely on the basis that the proposed structure will not exceed federal obstruction standards as contained in Title 14 Code of Federal Regulations, Part 77 (FAR Part 77),~~

Objects Affecting Navigable Airspace, Subpart C, Obstruction Standards, Sections 77.21, 77.23, 77.25, 77.28, and 77.29, or any other federal aviation regulation. Any airspace obstruction permit granted shall require compliance with the marking and lighting standards set forth in this rule chapter.

(a) The Department shall review the application for local government variance, file a response or waive the right of the Department to respond and provide a copy of the response to the applicant and local government within 45 days of receipt of the application.

(b) The local government shall provide to the Department a copy of its decision on the application for variance within ten days of issuance.

(c) Any variance granted shall require the applicant to install, operate, and maintain obstruction marking and lighting in compliance with the marking and lighting standards set forth in this rule chapter.

(4) Obstruction Marking and Lighting. Obstruction marking or lighting recommended in an FAA aeronautical determination shall be considered a requirement for the structure for compliance with Department standards. These standards shall be applied as follows: Any airport zoning regulation adopted in compliance with Chapter 333, Florida Statutes, concerning airport hazards shall require obstruction marking and lighting in compliance with the marking and lighting standards set forth in this rule chapter.

(a) Objects that exceed an overall height of 200 feet above ground level (AGL), including any appurtenances, or that exceed any federal obstruction standard will be required to be marked or lighted as specifically recommended by the FAA. Marking or lighting of objects lower than 200 feet AGL will be required within specific lateral boundaries of established low level aircraft routes.

(b) Objects which exceed 300 feet AGL up to 500 feet AGL within six nautical miles of a licensed public-use airport or military airfield, shall be marked or lighted in accordance with specific federal obstruction guidelines for those heights. The white lighting required for daytime and twilight, for dual lighting with red/medium intensity white systems, shall be medium intensity. The system includes automatic sensors that change between red and white lighting and also vary the white strobe intensity between twilight and full day.

(c) Objects which exceed 500 feet AGL, within a six nautical mile radius of a public-use airport or military airfield, shall be marked or lighted in accordance with specific federal obstruction guidelines for those heights. The white lighting required for daytime and twilight, for dual lighting with red/high intensity white systems, shall be high intensity.

(d) Objects which exceed 800 feet AGL beyond the six nautical mile radius of public airports or military airfields, shall be marked or lighted in accordance with specific federal

obstruction guidelines for those heights. The white lighting required for daytime and twilight, for dual lighting, shall be high intensity.

(e) Specific marking or lighting will not be required if both of the following circumstances exist:

1. The object is masked by surrounding objects marked or lighted under these standards, and

2. The FAA specifically recommends deletion of any marking or lighting because of the masking effect.

(f) When the FAA recommends dual lighting for objects less than the heights specified in this rule chapter because of the need for greater visual conspicuity, the more stringent FAA recommendations shall be required as a condition of the permit issued. Additionally, when an object does not exceed any federal obstruction standard, but because of its particular location, the FAA recommends marking and lighting, the FAA recommendation shall be required as a condition of the permit.

(5) Any person filing a request with a local government board of adjustment for a variance from airport zoning regulations in order to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use his property in violation of the airport zoning regulations shall forward a copy of the application to the Department by certified mail. The application shall be addressed to: Florida Department of Transportation, Aviation Office, MS 46, 605 Suwannee Street, Tallahassee, Florida 32399-0450.

(a) The Department shall review the application for variance, file a response or waiver with the board of adjustment and provide a copy of the response to the applicant within 45 days of receipt of the application.

(b) The board of adjustment shall provide to the Department a copy of its decision on the application for variance within 10 days of issuing its decision.

(c) Any variance granted by the board of adjustment shall require the applicant, at his own expense, to install, operate and maintain obstruction marking and lighting in compliance with the marking and lighting standards set forth in this rule chapter.

(6) As minimum standards, the Department hereby adopts the obstruction marking and lighting standards established in the current U.S. Department of Transportation, Federal Aviation Administration, Advisory Circular Number 70/7460-III, (September 1, 1992) Obstruction Marking and Lighting (FAA AC No. 70/7460-1). These standards shall be applied as follows:

(a) Objects that exceed an overall height of 200 feet above ground level (AGL), including any appurtenances, or that exceed any obstruction standard of FAR Part 77, Subpart C will be required to be marked and lighted as is specifically recommended by the FAA in the Determination rendered to the applicant's Notice of Construction. Marking or lighting of

~~objects lower than 200 feet AGL may be required within specific lateral boundaries of established low level aircraft routes.~~

~~(b) Objects which exceed 300 feet AGL up to 500 feet AGL within six nautical miles (NM) of a licensed public use category airport or military airfield, shall be marked and lighted in accordance with Chapters 4, 5, 6, and 13 of the current FAA, AC No. 70/7460-1. The white lighting required for daytime and twilight under Chapter 8, Dual Lighting with Red/Medium Intensity White Systems, shall be medium intensity. These five chapters provide the standards, methods, applications, and equipment specifications for dual lighting systems, which include flashing red beacons and red lights for night with white high or medium intensity strobe lights for daytime and twilight. The system includes automatic sensors which change between red and white lighting and also vary the white strobe intensity between twilight and full day.~~

~~(c) Objects which exceed 500 feet AGL within a six nautical mile radius of a public airport or military airfield, shall be marked and lighted in accordance with Chapters 4, 5, 7, 9, and 13 of the current AC 70/7460-1. The white lighting required for daytime and twilight under Chapter 9, Dual Lighting with Red/High Intensity White Systems, shall be high intensity.~~

~~(d) Objects which exceed 800 feet AGL beyond the six nautical mile radius of public airports or military airfields, shall be marked and lighted in accordance with Chapters 4, 5, 7, 9, and 13, of the current AC No. 70/7064-1. The white lighting required for daytime and twilight under Chapter 7, Dual Lighting, shall be high intensity.~~

~~(e) Marking or lighting specified may be deleted only if:~~

- ~~1. The object is masked by surrounding objects marked or lighted under these standards, and~~
- ~~2. The FAA specifically recommends deletion of any marking or lighting because of the masking effect.~~

~~(f) When the FAA recommends dual lighting for objects less than the heights specified in this rule because of the need for greater conspicuity the more stringent FAA recommendations shall be required as a condition of the permit issued. When an object does not exceed any FAR Part 77, Subpart C Surface but because of its particular location, the FAA recommends marking and lighting, the FAA recommendation shall be required as a condition of the permit.~~

~~(7) The obstruction marking and lighting standards set forth in this rule chapter shall take effect on October 1, 1988. Any existing structure not in compliance on October 1, 1988 shall be required to comply with the obstruction marking and lighting standards whenever any change or alteration is made to the structure, whether temporary or permanent; whenever any existing marking requires refurbishment; whenever existing lighting requires replacement; or on or before November 15, 1995, whichever occurs first.~~

Specific Authority 330.29(4), 333.065, 334.044(2) FS. Law Implemented 330.29, 330.35, 333.025, 333.03(5), 333.07, 333.08 FS. History—New 11-23-72, Amended 4-18-76, 11-19-81, 1-8-85, Formerly 14-60.09, Amended 4-19-89, 12-26-95, 8-5-96, 2-11-97,\_\_\_\_\_.

14-60.011 Forms.

The following application forms are incorporated by reference into this rule chapter and shall be used to apply for an airspace obstruction permit or public airport site approval license:

FORM NUMBER	DATE	TITLE
725-040-10	(10/96 )	Airspace Obstruction Permit
725-040-11	<u>(02/04)</u> <del>(10/96)</del>	Airspace Obstruction Permit Application
725-040-12	<u>(02/04)</u> <del>(10/96)</del>	Airport Site Approval and License Application
725-040-13	<del>(10/96)</del>	Airport License Renewal Application

Copies of these forms may be obtained by contacting the Aviation Office, Florida Department of Transportation, Haydon Burns Building, MS 46, Tallahassee, Florida 32399-0450.

Specific Authority 330.29(4), 334.044(2) FS. Law Implemented 330.29, 333.025, 333.07, 334.044(27) FS. History—New 11-19-81, Amended 1-8-85, Formerly 14-60.11, Amended 4-19-89, 12-26-95, 8-5-96, 2-11-97,\_\_\_\_\_.

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

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

**LAND AND WATER ADJUDICATORY COMMISSION Pine Island Community Development District**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Pine Island Community Development District	4200-1
RULE TITLES:	RULE NOS.:
Establishment	4200-1.001
Boundary	4200-1.002
Supervisors	4200-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district (“CDD”), the Pine Island Community Development District (“Pine Island CDD”), pursuant to Chapter 190, F.S. The petition filed by Ginn-LA Pine Island Ltd., LLLP, requests the Commission establish a community development district located in Lake County, Florida. The Pine Island Community Development District will consist of approximately 1,805 acres. The petitioner anticipates development of multiple phases of single family residential subdivision(s), with an anticipated total of 785 single family residences. Pine Island I will be approximately 496 single family lots bordered on the west by

County Road 455, on the east and south by Lake Apopka, and on the north by Ridgewood Avenue. The property lies within unincorporated Lake County. Pine Island II will be approximately 289 single family lots and an 18 hole golf course with golf course facilities. Pine Island II is bordered on the east by County Road 455, on the west by Black Still Road, and on the north by Fosgate Road. The south will be bordered by existing development. Pine Island I and II will be joined by a tunnel under County Road 455. There is no real property within the external boundaries of the District that is excluded from the District. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Pine Island Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Monday, March 8, 2004

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas F. Lang, Esquire, or Jan A. Carpenter, Esquire, Allen, Lang, Carpenter & Peed, P.A., 14 East Washington Street, Suite 600, Orlando, Florida 32801, (407)422-8250 or Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Communications**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Regulated Communications Services	60C-1
RULE TITLES:	RULE NOS.:
General	60C-1.001
Definitions	60C-1.002

Communication Service Authorization	60C-1.003
Agency Communication Service Authorization (CSA) Representative	60C-1.004
Centralized Telecommunications Billing	60C-1.005
Telecommunications Billing Information	60C-1.006
Telecommunications Service Proposals	60C-1.007
Florida State Government Telephone Directory	60C-1.008

PURPOSE AND EFFECT: To consider amendment and renumbering of the above rules in light of administrative and statutory changes, as well as technological developments.

SUBJECT AREA TO BE ADDRESSED: General; Definitions; Communication Service Authorization; Agency Communication Service Authorization (CSA) Representative; Centralized Telecommunications Billing; Telecommunications Service Proposals; Florida State Government Telephone Directory.

SPECIFIC AUTHORITY: 282.102(2),(16) FS.

LAW IMPLEMENTED: 282.102(8),(10), 282.103, 282.104, 282.105, 282.106, 282.107 FS.

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

TIME AND DATE: 9:00 a.m., March 11, 2004

PLACE: Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida

Pursuant to the Americans with Disabilities Act and section 286.26, Florida Statutes, persons needing special accommodations to participate in this meeting should advise the State Technology Office at least 2 calendar days before the workshop, by contacting: Julie Shaw, (850)487-3423.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, [Winston.pierce@myflorida.com](mailto:Winston.pierce@myflorida.com)

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Communications**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Communications Procurement of Customer Owned Equipment	60C-2
RULE TITLES:	RULE NOS.:
General	60C-2.001
Standard Specifications for Communications Equipment	60C-2.003
Technical Evaluation of Communications Proposals	60C-2.004
Initiation or Revision of Standard Specification for Communication Equipment	60C-2.005



Single Agency Procurement Requirements 60C-2.006  
 Special or Unique Communications Requirements 60C-2.007  
 Communications Purchase or Lease Authorization 60C-2.008  
 Delegation to State University System 60C-2.009  
**PURPOSE AND EFFECT:** To consider amendment and renumbering of the above rules in light of administrative and statutory changes, as well as technological developments.  
**SUBJECT AREA TO BE ADDRESSED:** General; Standard Specifications for Communications Equipment; Technical Evaluation of Communications Proposals; Initiation or Revision of Standard Specification for Communication Equipment; Single Agency Procurement Requirements; Special or Unique Communications Requirements; Communications Purchase or Lease Authorization; Delegation to State University System.  
**SPECIFIC AUTHORITY:** 282.102(2),(16) FS.  
**LAW IMPLEMENTED:** 282.102(4),(5),(10),(14) FS.  
**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:**  
**TIME AND DATE:** 9:00 a.m., March 11, 2004  
**PLACE:** Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida  
 Pursuant to the Americans with Disabilities Act and section 286.26, Florida Statutes, persons needing special accommodations to participate in this meeting should advise the State Technology Office, at least 2 calendar days before the workshop, by contacting: Julie Shaw, (850)487-3423.  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS:** Winston Pierce, Chief, Bureau of Policy and Regulation Services, 4030 Esplanade Way, Suite 335, State Technology Office, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Communications**

<b>RULE CHAPTER TITLE:</b>	<b>RULE CHAPTER NO.:</b>
Eligibility and Use of State Communications System	60C-6
<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
General	60C-6.001
Definitions	60C-6.002
Cost Qualification for the State Communications System	60C-6.004
Agreements	60C-6.005
Review of Eligibility of Users	60C-6.006
Modifications, Additions, Reductions or Terminations to Existing SUNCOM and Telpak Service Initiated by a User	60C-6.007

Additions or Modifications to Existing SUNCOM Service Initiated by the Division 60C-6.008  
 Actions Initiated by the Division of Communications Resulting in Termination or Reduction of State Communications System Services 60C-6.009  
**PURPOSE AND EFFECT:** To consider amendment and renumbering of the above rules in light of administrative and statutory changes, as well as technological developments.  
**SUBJECT AREA TO BE ADDRESSED:** General; Definitions; Cost Qualification for the State Communications System; Agreements; Review of Eligibility of Users; Modifications, Additions, Reductions or Terminations to Existing SUNCOM and Telpak Service Initiated by a User; Additions or Modifications to Existing SUNCOM Service Initiated by the State Technology Office Actions Initiated by the State Technology Office Resulting in Termination or Reduction of State Communications System Services  
**SPECIFIC AUTHORITY:** 282.102(2),(16) FS.  
**LAW IMPLEMENTED:** 282.102(8),(10), 282.103, 282.104, 282.105, 282.106, 282.107 FS.  
**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:**  
**TIME AND DATE:** 9:00 a.m., March 11, 2004  
**PLACE:** Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida  
 Pursuant to the Americans with Disabilities Act and section 286.26, Florida Statutes, persons needing special accommodations to participate in this meeting should advise the State Technology Office at least 2 calendar days before the workshop, by contacting: Julie Shaw, (850)487-3423.  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS:** Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
Financial Responsibility; Definitions, Grounds for Denial	61G6-5.005
<b>PURPOSE AND EFFECT:</b> The Board proposes to review the existing rules to determine whether changes are necessary.	
<b>SUBJECT AREA TO BE ADDRESSED:</b> Financial Responsibility; Definitions, Grounds for Denial.	
<b>SPECIFIC AUTHORITY:</b> 489.511(3) FS.	
<b>LAW IMPLEMENTED:</b> 489.511(3) FS.	

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

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

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

**DEPARTMENT OF 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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLE: Biennial Licensure Fee

RULE NO.: 64B4-4.005

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

SUBJECT AREA TO BE ADDRESSED: Biennial Licensure Fee.

SPECIFIC AUTHORITY: 456.025(1), 491.004(5), 491.007(1) FS.

LAW IMPLEMENTED: 456.025(1), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLE: Disciplinary Guidelines

RULE NO.: 64B4-5.001

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

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.013(6), 456.031(1)(a), 491.004(5), 491.007(2) FS.

LAW IMPLEMENTED: 456.013(6), 456.031(1)(a), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE TITLE: Renewal of Active License

RULE NO.: 64B4-6.001

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

SUBJECT AREA TO BE ADDRESSED: Renewal of Active License.

SPECIFIC AUTHORITY: 456.013(6), 456.031(1)(a), 491.007(2) FS.

LAW IMPLEMENTED: 456.013(6), 456.031(a), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Applications  
 RULE NO.: 64B8-4.009

PURPOSE AND EFFECT: The Board proposes the deletion of subsection (10) of the rule.

SUBJECT AREA TO BE ADDRESSED: The deletion of subsection (10) of the rule.

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

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

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-4.009 Applications.  
 (1) through (9) No change.

~~(10) An applicant who has filed an application may withdraw that application without action by the Board so long as there has been no action by or on behalf of the Board scheduling the applicant for a hearing before the Board, its Credentials Committee, or some other special Credentials Committee of the Board or scheduling the application for special consideration by the Board, its Credentials Committee or some other special Credentials Committee and if there has not been a communication by staff, verbally, or in writing, that there is some issue within the application which may give rise to an unfavorable ruling or increased scrutiny by the Board. Once special action has been taken by the staff, the Board, or any of the Board's committees, then an applicant can withdraw the application only with the approval of the Board.~~

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Standard of Care for Office Surgery  
 RULE NO.: 64B8-9.009

PURPOSE AND EFFECT: The Board proposes the developments of rule amendments to address recent information with regard to patient deaths in combination surgical procedures.

SUBJECT AREA TO BE ADDRESSED: Office surgery.

SPECIFIC AUTHORITY: 458.309(1),(3), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(g),(t),(v),(w) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLES: Range of Penalties for Administrative  
 RULE NOS.: 64B13-15.003

Violations

Range of Penalties for Patient  
 Care Violations 64B13-15.004

PURPOSE AND EFFECT: Board proposes these amendments to the rules to update the range of penalties.

SUBJECT AREA TO BE ADDRESSED: Range of Penalties for Administrative Violations and Range of Penalties for Patient Care Violations.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.079 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-15.003 Range of Penalties for Administrative Violations.

(1) For Minor Administrative Violations the range of penalties are as follows:

(a) First violation – administrative fine of not less than \$ 500.00 nor more than ~~\$3,000.00~~ ~~\$1,500.00~~ per count or offense and/or a reprimand.

(b) Second violation – administrative fine of not less than \$ 750.00 nor more than ~~\$5,000.00~~ ~~\$2,500.00~~ per count or offense and, if appropriate, a period of probation of not less than 3 months nor longer than 6 months.

(c) Third violation – administrative fine of not less than \$1,500.00 nor more than ~~\$8,000.00~~ ~~\$4,000.00~~ per count or offense and, if appropriate, a period of suspension of not less than 6 months nor longer than 12 months.

(2) For Major Administrative Violations the range of penalties are as follows:

(a) First violation – administrative fine of not less than \$1,000.00 nor more than ~~\$4,000.00~~ ~~\$2,000.00~~ per count or offense and, if appropriate, a period of probation or suspension of not less than 6 months nor longer than 12 months.

(b) Second violation – administrative fine of not less than \$2,000.00 nor more than ~~\$6,000.00~~ ~~\$3,000.00~~ per count or offense and, if appropriate, a period of suspension of not less than 12 months nor more than 18 months.

(c) Third violation – administrative fine of not less than \$3,000.00 nor more than ~~\$10,000.00~~ ~~\$5,000.00~~ per count or offense and a period of suspension of not less than 6 months or revocation.

Specific Authority 456.079 FS. Law Implemented 456.079 FS. History–New 2-24-87, Formerly 21Q-15.003, 61F8-15.003, 59V-15.003, Amended 2-7-01,

64B13-15.004 Range of Penalties for Patient Care Violations.

(1) For Minor Patient Care Violations the range of penalties are as follows:

(a) ~~First~~ ~~first~~ violation – administrative fine of not less than \$ 750.00 nor more than ~~\$5,000.00~~ ~~\$2,500.00~~ per count or offense and, if appropriate, a period of probation of not less than 6 months nor more than 12 months.

(b) ~~Second~~ ~~second~~ violation – administrative fine of not less than \$1,000.00 nor more than ~~\$6,000.00~~ ~~\$3,000.00~~ per count or offense and a period of probation of not less than 12 months nor more than 18 months.

(c) ~~Third~~ ~~third~~ violation – administrative fine of not less than \$2,000.00 nor more than ~~\$10,000.00~~ ~~\$5,000.00~~ per count or offense and a period of suspension of not less than 3 months nor more than 12 months.

(2) For Major Patient Care Violations the range of penalties are as follows:

(a) ~~First~~ ~~first~~ violation – administrative fine of not less than \$1,000.00 nor more than ~~\$5,000.00~~ ~~\$2,500.00~~ per count or offense and, if appropriate, a period of probation of not less than 12 months nor more than 18 months.

(b) ~~Second~~ ~~second~~ violation – administrative fine of not less than \$2,000.00 nor more than ~~\$10,000.00~~ ~~\$5,000.00~~ per count or offense and a period of probation and, if appropriate, a period of suspension of not less than 12 months nor more than 24 months.

(c) ~~Third~~ ~~third~~ violation – administrative fine of not less than \$3,000.00 nor more than ~~\$10,000.00~~ ~~\$5,000.00~~ per count or offense and revocation.

Specific Authority 456.079 FS. Law Implemented 456.079 FS. History–New 2-24-87, Formerly 21Q-15.004, 61F8-15.004, 59V-15.004, Amended

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE TITLE:

RULE NO.:

Citations

64B13-15.009

PURPOSE AND EFFECT: The Board proposes an amendment to the rule to remove language that is duplicative and to provide a time limit to comply with citations.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077, 463.005 FS.

LAW IMPLEMENTED: 456.077 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-15.009 Citations.

(1) Definitions.

(a) “Citation” means an instrument which meets the requirements set forth in Section ~~465.617~~, ~~455.617~~, F.S., and which is served upon a subject for the purpose of assessing a penalty in an amount established by this rule;

(b) “Subject” means the licensee, trainee, or applicant alleged to have committed a violation designated in this rule.

(2) In lieu of the disciplinary procedures contained in Section ~~456.073~~, ~~457.073~~, F.S., the Department is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint which is the basis for the citation.

(3) The procedures described herein apply only for an initial offense of the alleged violation. Subsequent violation(s) of the same rule or statute shall require the procedures of Section ~~456.073~~, ~~457.073~~, F.S., to be followed. In addition,

should an initial offense for which a citation could be issued occur in conjunction with violations not described herein, then the procedures of Section ~~456.621, 457.073~~; F.S., shall apply.

(4) Pursuant to Section 456.077, F.S., the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; ~~or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation.~~

(a) The Board hereby designates the following as citation violations which shall result in a penalty of two hundred and fifty dollars (\$250.00):

1. Failure to include in an advertisement for free or discounted services the statement required by Section 456.062, F.S. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

2. Failure to conspicuously display a license, entrance sign, and other signs at each office and branch office location as required by Section 463.011, F.S., and Rules 64B13-3.005 and 64B13-3.006, F.A.C. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

3. Failure to conspicuously display a license at a branch office location as required per Section 463.011, F.S. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

4. Failure to display license and required practice information as specified in Rule 64B13-3.006, F.A.C. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

5. Failure to document having obtained the continuing education required by Section 463.007, F.S., and Rule Chapter 64B13-5, F.A.C. In addition to paying the fine, the licensee must complete continuing education hours not documented, plus an additional hour for each hour missed. The licensee shall come into compliance within ninety (90) days after receipt of the citation.

6. Failure to respond to a continuing education audit as required by Rule 64B13-5.001, F.A.C. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

(b) No change.

(5) No change.

Specific Authority 456.077, 463.005 FS. Law Implemented 456.077 FS. History—New 1-1-92, Formerly 21Q-15.009, 61F8-15.009, 59V-15.009, Amended 3-21-00, 4-17-01, 12-26-01, 5-1-02, 7-15-02, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE TITLE: \_\_\_\_\_ RULE NO.:

Board Approval of Continuing Psychological Education Providers 64B19-13.004

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

SUBJECT AREA TO BE ADDRESSED: Board Approval of Continuing Psychological Education Providers.

SPECIFIC AUTHORITY: 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 490.007(2), 490.0085(1),(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE TITLE: \_\_\_\_\_ RULE NO.:

Minor Misconduct, Notices of Noncompliance 64B19-17.0035

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

SUBJECT AREA TO BE ADDRESSED: Minor Misconduct, Notices of Noncompliance.

SPECIFIC AUTHORITY: 456.073(3) FS.

LAW IMPLEMENTED: 456.073(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE TITLE: \_\_\_\_\_ RULE NO.:

Qualifications to Practice Juvenile Sexual Offender Therapy 64B19-18.0025

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

SUBJECT AREA TO BE ADDRESSED: Qualifications to Practice Juvenile Sexual Offender Therapy.

SPECIFIC AUTHORITY: 490.004(4), 490.012(8), 490.0145 FS.

LAW IMPLEMENTED: 490.012(8), 490.0145 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE TITLE: Definitions RULE NO.: 64B19-19.002

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

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 490.004, 490.0147 FS.

LAW IMPLEMENTED: 490.009(2)(v), 490.0147 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE TITLE: Family Planning Services RULE NO.: 64F-16.012

PURPOSE AND EFFECT: The rule will implement a Family Planning Waiver granted by Centers for Medicare and Medicaid Services (CMS) to the State of Florida in its Medicaid Program. Under the Medicaid waiver, women who have experienced a pregnancy related event and meet other physical and financial eligibility criteria will receive family planning services under Medicaid even though they would not otherwise be eligible for Medicaid.

SUBJECT AREA TO BE ADDRESSED: Implementation of Family Planning Waiver.

SPECIFIC AUTHORITY: 381.0011(13), 381.0051(7) FS.

LAW IMPLEMENTED: 381.0051(2), 381.0051(4)(a),(6), 383.011(1)(d), 383.013(4) 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., March 15, 2004

PLACE: Conference Room, 110 P, Prather Building, 2585 Merchant’s Row Boulevard, Suite 110, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julia P. Forrester, Assistant General Counsel, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, (850)245-4444, email: Julia\_Forrester@doh.state.fl.us

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers’ Compensation**

RULE TITLE: Policies and Endorsements Covering Employees Engaged in Work in Florida RULE NO.: 69L-6.019

PURPOSE AND EFFECT: Sections 440.10(1)(g) and 440.38(7), Florida statutes, were amended to require employers who have employees “engaged in work” in this state with their headquarters outside of Florida to obtain a Florida policy or endorsement utilizing Florida class codes, rates, rules, and manuals that are in compliance with and approved under the provisions of Chapter 440, Florida Statutes, and the Florida Insurance Code. The rule implements the statutory amendment by describing what must appear on a workers’ compensation policy or endorsement for it to be acceptable proof of coverage in relation to employees “engaged in work” in this state so that the Department may enforce employer compliance with workers’ compensation coverage requirements.

SUBJECT AREA TO BE ADDRESSED: Implementation of amendments to Sections 440.10(1)(g) and 440.38(7), Florida Statutes.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.10(1)(g), 440.38(7) FS.

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

TIME AND DATE: 1:00 p.m., March 8, 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: Bruce Brown, Chief of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.019 Policies and Endorsements Covering Employees Engaged in Work in Florida.

(1) Every employer who is required to provide workers' compensation coverage for employees engaged in work in this state shall obtain a Florida policy or endorsement for such employees that utilizes Florida class codes, rates, rules and manuals that are in compliance with and approved under the provisions of Chapter 440, Florida Statutes, and the Florida Insurance Code, pursuant to Sections 440.10(1)(g) and 440.38(7), Florida Statutes.

(2) In order to comply with Sections 440.10(1)(g) and 440.38(7), Florida Statutes, any policy or endorsement presented by an employer as proof of workers' compensation coverage for employees engaged in work in this state must be issued by an insurer that holds a valid Certificate of Authority in the State of Florida.

(3) In order to comply with Sections 440.10(1)(g) and 440.38(7), Florida Statutes, for any workers' compensation policy or endorsement presented by an employer as proof of workers' compensation coverage for employees engaged in work in this state:

(a) the policy information page (NCCI form number WC 00 00 01 A) must list "Florida" in Section 3.A. and use Florida approved classification codes, rates, and estimated payroll in Section 4.

(b) the policy information page endorsement (NCCI form number WC 89 06 00 B) must list "Florida" in Section 3.A. and use Florida approved classification codes, rates, and estimated payroll in Section 4.

(4) A workers' compensation policy that lists "Florida" in Section 3.C. of the policy information page (NCCI form number WC 00 00 01 A) does not meet the requirements of Sections 440.10(1)(g) and 440.38(7), Florida Statutes, and is not valid proof of workers' compensation coverage for employees engaged in work in this state.

(5) NCCI form numbers WC 00 00 01 A and WC 89 06 00 B are hereby adopted and incorporated herein by reference.

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.10(1)(g), 440.38(7) FS. History—New \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE TITLE: The Dale Hickam Excellent Teaching Program

RULE NO.: 6A-10.060

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify the provisions for payment of the fee subsidies, incentives and bonuses to instructional personnel provided for by the Dale Hickam Excellent Teaching Program. The effect of this rule is to provide an appropriate framework for payment of the fee subsidies, incentives and bonuses to instructional personnel provided for by the Dale Hickam Excellent Teaching Program.

SUMMARY: This rule clarifies the provisions for payment of the fee subsidies, incentives and bonuses to instructional personnel provided for by the Dale Hickam Excellent Teaching Program by clarifying the conditions for payment and repayment.

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: 1012.01, 1012.34, 1012.72 FS.

LAW IMPLEMENTED: 1012.72 FS.

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

TIME AND DATE: 8:30 a.m., April 20, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Coxe, K-12 Deputy Chancellor, Department of Education, 325 West Gaines Street, Rm. 514, Tallahassee, Florida 32399-0400, (850)245-0420

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 6A-10.060 follows. See Florida Administrative Code for present text.)

6A-10.060 The Dale Hickam Excellent Teaching Program.

(1) Eligibility for payment(s) of the certification fee subsidy, teaching salary bonus, and mentoring salary bonus, pursuant to Section 1012.72, Florida Statutes, requires the following:

(a) Full-time employment as instructional personnel within the meaning of Section 1012.01(2)(a)-(c), Florida Statutes, as reflected by contract, the school district's personnel salary schedule, or the school district's approved staffing plan;

(b) Engaging exclusively in activities that further student instruction; for example, through advising, teaching and mentoring students, coaching or mentoring teachers through in class modeling, monitoring, and advising, and offering information resources to students;

(c) Teaching students a majority of the time;

(d) Completing and signing, as applicable, the following forms incorporated herein by reference and submitting all items they require: DHETP-1, Application and Instructions for Teacher Certification Fee Subsidy, DHETP-2, Letter of Intent/Promissory Note, DHETP-3, Salary Bonus Request Form, and DHETP-4, Mentoring Services Bonus Request Form, all available at the Florida Department of Education, Florida Excellent Teaching Program, 325 W. Gaines St., Ste. 126, Tallahassee, FL 32399;

(e) Demonstrating satisfactory performance on the most recent, regular annual performance appraisal conducted pursuant to Section 1012.34, Florida Statutes;

(f) Holding a valid Florida educator's certificate that has never been subject to discipline as the result of a final order of the Education Practices Commission after a formal, informal, or show cause hearing or settlement agreement.

(2) Eligibility to receive the certificate fee subsidy additionally requires adherence to all requirements, procedures, and deadlines of the school district, Department, and National Board for Professional Teaching Standards (NBPTS).

(3) Eligibility to receive payments of the teaching salary bonus and mentoring salary bonus additionally requires proof of a valid NBPTS certificate or notice of certificate award.

(4) Eligibility to receive payment(s) of the mentoring salary bonus additionally requires meeting the requirements for the teaching salary bonus and the equivalent of twelve (12) work-days of mentoring and related services to public classroom teachers pursuant to Section 1012.72, Florida Statutes. Related services must include instruction in helping teachers work more effectively with the families of their students. The twelve (12) workdays of mentoring and related services may not be completed during student contact hours during the one hundred ninety six (196) days of required service.

(5)(a) The Department shall forgive repayment of the certification fee subsidy paid to the NBPTS under the circumstances set forth in Section 1012.72(2)(d), Florida Statutes, in the event of the death of the recipient, a total and permanent disability which renders the recipient unable to work, or a reassignment of a military spouse to active duty outside the State of Florida.

(b) Death shall be verified by submission of a copy of the certificate of death. A total and permanent disability shall be verified in writing by a Florida licensed medical physician. An active military assignment outside the State of Florida shall be verified by a copy of the order of reassignment.

(6) Pro rata repayment to the Department of the teaching salary bonus and mentoring salary bonus shall be required of all recipients who during the teaching year in which the subsidy or bonus was received satisfy paragraphs (1)(a)-(c) of this rule less than the entire school year except for leave duly authorized and granted.

(7) Full repayment to the Department of the teacher certification fee, teaching salary bonus and mentoring salary bonus shall be required of all recipients who following receipt of same no longer satisfy the eligibility requirement listed in paragraphs (1)(e) and (1)(f) of this rule during the fiscal year in which the subsidy or bonus was received.

(8)(a) A recipient of the certification fee subsidy, teaching salary bonus and mentoring salary bonus owing a refund to the State of Florida may establish a repayment schedule agreeable to the Department which shall not exceed a period of two (2) years from the date of the written notice from the Department requesting repayment of the fee.

(b) Repayment of the certification fee subsidy, teaching salary bonus, and mentoring salary bonus may be deferred for a period not to exceed one (1) year from the date of the written notice from the Department requesting repayment of the fee for a temporary disability which renders a recipient unable to work or for other hardships as determined by the Department to render the recipient unable to work or to make repayment. A written request shall be submitted to the Department for consideration of a deferment of the repayment. The Department may request documentation of the conditions supporting the request for a deferment.

(c) Repayment of the certification fee, teaching salary bonus, and mentoring salary bonus shall be to the Florida Department of Education.

Specific Authority 1012.01, 1012.34, 1012.72,—236-08106 FS. Law Implemented 1012.72,—236-08106 FS. History—New 7-12-99, Amended 5-29-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Nathan A. Adams, IV., Deputy General Counsel, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John Winn, Chief of Staff, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 2004

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: January 16, 2004



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

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

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

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

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

SUMMARY: This rule change revises the procedure and methods that the Board will use to notify purchasers of terminated advance purchase contracts of unclaimed refunds and to notify contract purchasers that have made certain inadvertent payment to the Florida Prepaid College Program, so the purchasers may obtain a refund.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None prepared.

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

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

LAW IMPLEMENTED: 1009.971, 1009.972(5), 1009.98(5) FS.

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

TIME AND DATE: 2:00 p.m., March 15, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-11.007 Unclaimed Refunds.

(1) The Board will send a refund to any purchaser whose contract is terminated after July 1, 1996, pursuant to Rule 19B-10.001 or 19B-10.002, F.A.C. Such refund will shall consist of any monies paid into the program minus any applicable fees due against the account. The Board will mail written notice to purchasers when the refund check for a

contract terminated after July 1, 1996, has not been negotiated for six years and when a refund is available for a contract that was terminated prior to July 1, 1996. The notice will indicate the procedure which the purchaser must follow to obtain a refund of the monies held by the Board and that if a refund claim is not timely made that the funds will escheat to the Florida Prepaid College Trust Fund. An alphabetical list of the names and city of residence of such purchasers will be posted on the Board's website on the Internet. Any refund which remains unclaimed seven years after an account is terminated or on December 31, 2004, whichever is later, will escheat to the Florida Prepaid College Trust Fund.

~~(2)(a) As to accounts which were terminated pursuant to Rule 19B-10.001 or 19B-10.002 prior to July 1, 1996, the Board shall mail a written notice to the purchaser of such accounts, if an unclaimed refund is available for the terminated account, regarding the procedure which the purchaser must follow to obtain a refund of the monies held by the Board for said accounts. The notice shall be sent to the purchaser when the refund has been unclaimed for six years after the date the account was terminated.~~

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

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

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

~~Board's website on the Internet. Any such refunds for any account terminated pursuant to Rule 19B-10.001 or 19B-10.002 which remains unclaimed after seven years shall escheat to the Florida Prepaid College Trust Fund.~~

~~(2)(4)~~ The Board will attempt to identify purchasers who have made inadvertent payments of fifty dollars or more into the Program and who are owed a refund of such payments. The Board will mail a written notice to persons who made such payments informing them that they are entitled to a refund of the inadvertent payments when such refunds have been unclaimed for six years. The notice ~~will shall~~ indicate the procedure which the person must follow to obtain a refund of the monies held by the Board and that if a claim for a refund is not ~~timely made within seven years after the date such refund became unclaimed~~ that the funds ~~will shall~~ escheat to the Florida Prepaid College Trust Fund. An alphabetical list of the names ~~and city of residence~~ of such purchasers ~~will shall~~ be posted on the Board's website on the Internet. Any refund of an inadvertent payment into the Program which remains unclaimed after seven years ~~or on December 31, 2004, whichever is later, will shall~~ escheat to the Florida Prepaid College Trust Fund.

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

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Prepaid College Board  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 16, 2004

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Rural Health Clinic Services  
RULE NO.: 59G-4.280

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Rural Health Clinic Services Coverage and Limitations Handbook, October 2003. The effect will be to provide Florida Federally Qualified Health Centers with new HIPAA policy and HIPAA compliant Level II HCPCS for services that use the CMS-1500 for billing.

SUMMARY: The rule is amended to include new HIPAA policy, language, and new HIPAA compliant level II HCPCS. Policy changes include family planning services that are necessary to comply with recommendations of the U.S. Preventive Services Task Force by omitting the requirement for urinalysis and hemoglobin/hematocrit laboratory analyses with family planning health assessments. In addition, mental health services have been changed to include mental health group therapy as a component.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

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

TIME AND DATE: 9:30 a.m., March 15, 2004

PLACE: 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308-5407

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kay Aloi, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7330

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.280 Rural Health Clinic Services.

(1) No change.

~~(2) Payment Methodology for Covered Services.~~

~~(a) Provider-based clinics shall be reimbursed for rural health clinic services on the basis of a fixed all inclusive rate per visit, calculated by the Medicare Part A carrier that services the provider.~~

~~(b) Independent clinics shall be reimbursed for rural health clinic services at a cost based all inclusive rate per visit, calculated by the Medicare Part A carrier Blue Cross/Blue shield of Chattanooga, Tennessee.~~

~~(c) Medicaid will utilize the annual rate established by the Medicare Part A carrier for reimbursement of rural health clinics with the exception of immunizations, emergency~~

~~services, radiology, services rendered in a hospital, Norplant kits, intrauterine devices and DepoProlvera, which are reimbursed based on a fee schedule established by Medicaid.~~

~~(d) In lieu of retroactive payment to a clinic, a percentage allowance will be added to the per encounter rate as of July 1 of each year based on the clinic's last year end cost report. The percentage allowance will be based on the Consumer Price Index (CPI) estimated for the month of the clinic's fiscal year end divided into the CPI projected for December of the same rate period. The established rate multiplied by this ration will determine the clinic's rate encounter for each subsequent twelve month period. The effective date of each rate change will be July 1 of each year.~~

~~(2)(3) All rural health clinic providers enrolled in the Medicaid program must comply with the Florida Medicaid Rural Health Clinic Coverage and Limitations Handbook, October 2003 June 2000, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA 1500 and Child Health Check Up 221, incorporated by reference in Rule 59G-4.001 59G-5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.~~

~~Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History--New 4-14-80, Formerly 10C-7.051, Amended 6-29-94, 6-10-96, 6-24-98, 12-4-00, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kay Aloï

NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Rhonda M. Medows, M.D., FAAFP, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 30, 2004

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE TITLE: Certification of Additional New Business

RULE NO.:

Entity or Transfers 61G6-5.006

PURPOSE AND EFFECT: The Board proposes to add language to the existing rule to address an applicant's appearance before the Application Review committee and/or Board.

SUMMARY: A rule will be amended to address an applicant's appearance before the Application Review committee and /or Board.

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: 489.507(3), 489.511(3), 489.521(2),(3)(a) FS.

LAW IMPLEMENTED: 489.511(3), 489.521(2),(3)(a) 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: John Knap, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-5.006 Certification of Additional New Business Entity or Transfers.

(1) A qualifying agent who wishes to engage in contracting in his own name or in affiliation with another business entity shall be required to submit an application to the Department. The application shall be accompanied by the materials listed in Rule 61G6-5.004, F.A.C. The application shall be accompanied by the application fee. The applicant shall appear before the Application Review Committee for review of the application and may appear before both the committee and the Board. The Board office shall schedule all qualified applicants for appearance before the Committee.

(2) through (4) No change.

~~Specific Authority 489.507(3), 489.511(3), 489.521(2),(3)(a) FS. Law Implemented 489.511(3), 489.521(2),(3)(a),(8) FS. History--New 1-2-80, Amended 4-16-82, 6-22-82, Formerly 21GG-5.06, Amended 11-3-92, Formerly 21GG-5.006, Amended 11-30-94, 5-2-96, 6-16-98, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE TITLE: Certification Examination Requirements

RULE NO.:

PURPOSE AND EFFECT: The Board proposes to revise the existing rule to address the percentage of questions in each subject area of the examination and to add a specialty certification examination.

SUMMARY: A rule will be amended to address the percentage of questions in each subject area of the examination and to add a specialty certification examination.

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

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

SPECIFIC AUTHORITY: 455.217(1)(b) FS.

LAW IMPLEMENTED: 455.217(1)(b) 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: John Knap, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-6.001 Certification Examination Requirements.

(1) The areas of competency to be covered by the certification examination and the approximate percentage of questions in each area, shall be as follows:

Technical knowledge, 60%; General Business knowledge, 33%; and Ssafety knowledge, 7%.

(2) The examination shall be open book. The applicant is responsible for bringing and may use during the examination the applicable code books, reference materials and calculators as approved by the Board. Security measures as set forth by the Department shall be followed during the examination.

(3) ~~The following certification examinations are offered. The content areas of each examination and the approximate weight assigned to each section are as follows:~~

(a) Unlimited Electrical Contractor. ~~Technical section 64%; General Business Section 33%; and Safety Section 3%.~~

(b) Residential Electrical Contractor. ~~Technical Section 59%; General Business Section 33%; and Safety Section 8%;~~

(c) Alarm Systems Contractor I. ~~Technical Section 66%; General Business Section 25%; and Safety Section 9%.~~

(d) Alarm Systems Contractor II. ~~Technical Section 70%; General Business Section 25%; and Safety Section 5%.~~

(e) Limited Energy Contractor. ~~Technical Section 69%; General Business Section 25%; and Safety Section 6%.~~

(f) Sign Specialty Contractor. ~~Technical Section 70%; General Business Section 25%; and Safety Section 5%.~~

(g) Lighting Maintenance Contractor. ~~Technical Section 70%; General Business Section 25%; and Safety Section 5%.~~

(h) Utility Electrical Line Contractor.

(4) No change.

Specific Authority 455.217(1)(b) FS. Law Implemented 455.217(1)(b) FS. History--New 1-2-80, Amended 4-26-81, 1-19-84, Formerly 21GG-6.01, 21GG-6.001, Amended 3-20-95, 5-2-96, 5-7-97, 10-6-97, 9-7-98, 10-7-99, 2-17-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrical Contractors' Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Schedule of Fees

RULE NO.: 61G15-24.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to remove obsolete language and provide for a specific fee for testing in additional disciplines as requested by an existing licensee.

SUMMARY: This rule sets forth the fees for application, examination, reexamination, licensing and renewal, temporary registration, late renewal, registration by endorsement, reactivation fees, and replacement certificate fees.

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

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

SPECIFIC AUTHORITY: 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.217(3), 471.011, 471.019 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalie Lowe, Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-24.001 Schedule of Fees.

(1) No change.

(2) Engineering fees (individuals and firms):

(a) No change.

(b) Examination and re-examination fee ~~Initial examination fee~~ - \$ 100.00 ~~(both parts)~~, except the fee for Structural II examination is \$ 450.00.

- (c) Application fee for licensure by endorsement – \$125.00.
- (d) Initial registration and licensure – \$ 100.00.
- (e) Renewal – \$ 125.00 per biennium.
- (f) Delinquency Fee – \$ 100.00.
- (g) Temporary registration (individual) – \$ 25.00.
- (h) Temporary Certificate of Authorization (firm) – \$50.00.
- (i) Registration for a Certificate of Authorization (firm) – \$125.00.
- (j) Biennial Renewal of Certificate of Authorization (firm) – \$125.00.
- ~~(k) Re-examination – \$ 100.00 per part.~~
- (l) through (p) renumber (k) through (o) No change.
- (3)(a) through (c) No change.

Specific Authority 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS. Law Implemented 119.07(1)(a), 455.217(3), (7), 471.011, 471.019 FS. History–New 1-8-80, Amended 8-26-81, 12-19-82, 6-2-83, 2-28-84, Formerly 21H-24.01, Amended 3-10-86, 12-11-86, 3-10-87, 4-12-88, 12-21-88, 1-10-90, 8-15-90, 1-6-93, Formerly 21H-24.001, Amended 11-15-94, 8-10-98, 6-16-99, 5-8-00, 11-15-01, 2-21-02, 9-16-02.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 19, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE TITLE: Retention of Engineering Documents  
RULE NO.: 61G15-30.009

PURPOSE AND EFFECT: The Board proposes this new rule to set forth criteria for retaining engineering documents.

SUMMARY: This rule sets forth the requirement for licensees to retain documents bearing their signature, seal, date and all related calculations for a minimum period of three years .

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: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.033(1)(g) FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Natalie Lowe, Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-30.009 Retention of Engineering Documents.

At least one copy of all documents displaying the licensee’s signature, seal, date and all related calculations shall be retained by the licensee or the licensee’s employer for a minimum of three years from the date the documents were sealed.

Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.033(1)(g) FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2003  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 19, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE TITLE: Exemption of Spouses of Members of Armed Forces from Licensure  
RULE NO.: 61G19-6.018

PURPOSE AND EFFECT: The Board proposes to promulgate a new rule to address exemption of spouses of members of armed forces from licensure renewal provisions.

SUMMARY: A new rule will be developed to address exemption of spouses of members of armed forces from licensure renewal provisions.

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: 455.02(2), 468.606 FS.

LAW IMPLEMENTED: 455.02(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.018 Exemption of Spouses of Members of Armed forces from Licensure Renewal Provisions.

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse's duties with the armed forces shall be exempt from all licensure renewal provisions under these rules during such absence. The licensee must show proof to the Board of the absence and the spouse's military status. Such proof shall consist of copies of the military orders requiring the change of duty station and must be sent to the Board office in order to qualify for the exemption.

Specific Authority 455.02(2), 468.606 FS. Law Implemented 455.02(2) FS. History-New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 23, 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 Hearing Aid Specialists**

RULE TITLES:	RULE NOS.:
Initial Licensure Fee	64B6-4.003
Biennial Renewal Fee for Active License	64B6-4.004
Special Assessment Fee	64B6-4.011

PURPOSE AND EFFECT: To update the current initial licensure and biennial renewal fees and promulgate a new rule for a special assessment fee.

SUMMARY: The Board proposes to revise the initial licensure and biennial renewal fees and implement a new rule pertaining to a special assessment fee.

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: 455.587(1), 456.013(2), 456.017, 456.025(1),(5), 484.044, 484.0447(4),(6) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 484.0447(4),(8), 484.047(2) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

**64B6-4.003 Initial Licensure Fee.**

(1) The licensure fee for each applicant certified for licensure in the first year of a biennium shall be ~~\$600.00~~ **375.00**.

(2) The licensure fee for each applicant certified for licensure in the second year of a biennium shall be ~~\$320.00~~ **200.00**, except that during the renewal period the applicant shall pay the amount of the biennial renewal fee, under Rule 64B6-4.004, F.A.C., and the license issued shall be good for the next biennium.

Specific Authority 456.013(2), 456.017, 456.025(1), 484.044, 484.0447(4) FS. Law Implemented 456.013(2), 456.017, 484.0447(4) FS. History-New 1-10-84, Amended 1-20-85, Formerly 21JJ-5.02, 21JJ-5.002, Amended 1-4-87, 12-25-88, 8-19-91, Formerly 21JJ-4.006, 61G9-4.006, Amended \_\_\_\_\_.

**64B6-4.004 Biennial Renewal Fee for Active License.**

The licensure fee for renewal of an active license shall be ~~\$600.00~~ **410.00**.

Specific Authority 456.025(1), 455.587(1), 484.044, 484.0447(4),(6) FS. Law Implemented 484.0447(4),(8), 484.047(2) FS. History-New 1-10-84, Formerly 21JJ-5.03, 21JJ-5.003, Amended 1-4-87, 12-25-88, Formerly 21JJ-4.007, 61G9-4.007, Amended 6-6-02, \_\_\_\_\_.

**64B6-4.011 Special Assessment Fee.**

(1) In an effort to eliminate the current cash deficit of the Board, each active status licensee and inactive status licensee shall pay a special assessment fee of \$500.00 to the Department. The fee must be paid to the Department by no later than 5:00 p.m.-E.S.T. on August 31, 2004.

(2) Failure to comply with this rule and pay the required fee shall constitute a citation violation as set forth in section 456.077, F.S.

Specific Authority 456.025(5), 484.044 FS. Law Implemented 456.025(5) FS. History-New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Hearing Aid Specialists  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Hearing Aid Specialists  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: February 3, 2004  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: February 6, 2004

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Definitions  
RULE NO.: 64B8-2.001  
PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify that the infiltration by injection of local anesthetic agents by medical assistants is prohibited.  
SUMMARY: The proposed rule amendment prohibits the infiltration by injection of local anesthetic agents by medical assistants.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 458.309, 458.315(1), 458.317(1)(c), 458.319(1), 766.314(4) FS.

LAW IMPLEMENTED: 456.072(2)(g), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-2.001 Definitions.

(1) through (11) No change.

(12) Pursuant to Section 458.3485(2), Florida Statutes, the infiltration by injection of local anesthetic agents by medical assistants is prohibited.

Specific Authority 458.309, 458.315(1), 458.317(1)(c), 458.319(1), 766.314(4) FS. Law Implemented 456.072(2)(g), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) FS. History—New 11-10-82, Amended 12-4-85, Formerly 21M-29.01, Amended 12-4-86, 11-15-88, 3-13-89, 1-1-92, 9-24-92, 2-21-93, Formerly 21M-29.001, Amended 4-14-94, Formerly 61F6-29.001, 59R-2.001, Amended 4-7-99, 10-2-01, 11-10-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rules Committee, Board of Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: February 7, 2004  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: December 26, 2003

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Application, Certification, Registration, and Licensure Fees  
RULE NO.: 64B8-3.002  
PURPOSE AND EFFECT: The proposed rule amendment is intended to address an increase in the initial certification fee from \$385 to \$424.  
SUMMARY: The proposed rule amendment increases the initial certification fee from \$385 to \$424.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.013, 456.025, 458.309, 458.311, 458.313, 458.3135, 458.3137, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.025, 456.036, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3137, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-3.002 Application, Certification, Registration, and Licensure Fees.

The following fees are prescribed by the Board:

(1) through (6) No change.

(7) The initial certification fee for any person who is issued a temporary certificate to practice in areas of critical need, public health certificate, public psychiatry certificate, or medical faculty certificate and the initial license fee for a person who is issued a license to practice as a physician as provided in Section 458.311, 458.3115, 458.3124, F.S., or

Section 458.313, F.S.; or a limited license as provided in Section 458.317, F.S., shall be \$424.00 ~~\$385.00~~ with the following exceptions:

- (a) through (d) No change.
- (8) through (9) No change.

Specific Authority 456.013, 456.025, 458.309, 458.311, 458.313, 458.3135, 458.3137, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS. Law Implemented 456.013, 456.025, 456.036, 458.311, 458.3115, 458.3124, 458.313, 458.3135, 458.3137, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.345, 458.347 FS. History—New 12-5-79, Amended 11-10-82, 8-11-85, 10-24-85, Formerly 21M-19.02, Amended 12-4-86, 11-3-87, 7-4-88, 10-23-89, 11-12-89, 11-11-90, 1-16-91, 1-9-92, 2-10-92, 9-7-92, Formerly 21M-19.002, Amended 9-21-93, Formerly 61F6-19.002, Amended 2-13-95, 2-20-96, 6-24-96, Formerly 59R-3.002, Amended 6-7-98, 8-11-98, 11-22-98, 12-14-99, 1-31-01, 11-20-01, 10-19-03, 12-2-03, 1-26-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6-7, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2003

**DEPARTMENT OF HEALTH**

**Board of Medicine**

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

PURPOSE AND EFFECT: The proposed rule amendments are intended to address continuing education credit for Board members.

SUMMARY: The proposed rule amendments permit Board members to receive up to 10 hours of continuing medical education (CME) credit per biennium in the area of risk management for attendance at Board meetings.

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

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

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-13.005 Continuing Education for Biennial Renewal.

(1) No change.

(2)(a) For purposes of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing, or eliminating identifiable risks.

(b) Five hours of continuing medical education in the subject area of risk management may be obtained by attending one full day or eight (8) hours, whichever is more, of disciplinary hearings at a regular meeting of the Board of Medicine in compliance with the following:

1. through 2. No change.

3. The licensee must sign out with the Executive Director of the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive CME credit in risk management for attending the disciplinary portion of a Board meeting only if he or she is attending on that date solely for that purpose; he or she may not receive such credit if appearing at the Board meeting for another purpose. A member of the Board of Medicine may obtain 10 ~~5~~ hours of continuing medical education per biennium in the subject area of risk management for attendance at the disciplinary portion of ~~one~~ Board meetings.

(3) through (7) No change.

(8) In addition to the continuing medical education credits authorized above, current and former Board members shall receive up to a maximum of 5 hours of credit per biennium in the area of risk management for serving on the Board's probable cause panel.

(9) through (11) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rules Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 26, 2003





**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE NO.: RULE TITLE:  
 61G1-12.001 Grounds for Disciplinary Proceedings

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 47, November 21, 2003, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: RULE TITLE:  
 61G4-15.005 Requirements for Certification and Registration

NOTICE OF CHANGE

Notice is hereby gives notice 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. 6, of the February 6, 2004, Florida Administrative Weekly. The change is as follows:

At the time of final adoption, the proposed rule amendments shall become effective on July 1, 2004.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NO.: RULE TITLE:  
 61G6-5.004 Requirement for Business Organizations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 51, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures committee (JAPC). The Board, at its meeting held on January 22, 2004, voted to make changes to the rule to address the JAPC concerns. The changes are as follows:

61G6-5.004 Requirement for Business Organizations Certified Qualifying Agent Applicant.

In order that the Board may carry out its statutory duty to investigate the financial responsibility, credit, and business reputation of an applicant for qualifying agent status proposing to engage in contracting as a partnership, corporation, business

trust, or other legal entity other than a sole proprietorship, an applicant shall be required to forward the following to the Department for review by the Board:

- (1) No change.
- (2) A comprehensive financial statement reflecting the financial condition of the business organization entity in its previous fiscal year; provided, however, that the statement be prepared within 12 months of the date of filing of the application. The financial statement shall be prepared in accordance with generally accepted accounting principles, as defined by Rule 61H1-20.007, F.A.C. (February, 2004) include

~~the following: balance sheet; income statement; capital statement; and statement of cash flow. Unless prepared by a certified public accountant, the financial statement shall be signed, in the presence of a notary, by a responsible officer of the business entity as representing the financial condition of the business entity for the period reflected in the statement.~~ The financial statement must indicate a minimum net worth as indicated below for the following categories:

- (a) through (b) No change
- (3) A ~~credit~~ report on the business organization entity agent from any recognized credit bureau which includes but is not limited to credit history, ability to be bonded, liens, judgments, suites, and bankruptcy, and assignment of receivers obtained from county, state and federal records. The ~~credit~~ report must be dated within twelve (12) months of the date of filing the application. ~~Reports which are limited to only information that has been obtained from the qualifying agent or past and present employers are not acceptable.~~

(4) Answers to the following questionnaire on the application:

BUSINESS ORGANIZATION FINANCIAL RESPONSIBILITY QUESTIONNAIRE - HAS ANY PARTNER, OFFICER, DIRECTOR, OR TRUSTEE OF THE BUSINESS ORGANIZATION QUALIFYING AGENT FINANCIAL RESPONSIBILITY HAVE YOU (OR A PARTNERSHIP IN WHICH YOU WERE A PARTNER OR AN AUTHORIZED REPRESENTATIVE OR A CORPORATION IN WHICH YOU WERE AN OFFICER OR AN AUTHORIZED REPRESENTATIVE) EVER:

- (a) through (5) No change.

Specific Authority 489.507(3), 489.515(1), 489.521 FS. Law Implemented 489.515(1), 489.521, 489.522 FS. History--New 1-20-80, Amended 4-17-80, 4-30-81, 1-11-84, Formerly 21GG-5.04, Amended 2-3-86, 11-23-86, 8-27-87, 12-24-87, 11-26-90, 7-8-91, Formerly 21GG-5.004, Amended 3-20-94, 11-30-94, 5-2-96, 2-13-97, 11-23-97, 4-14-98, \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Knap, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: 61G15-24.001      RULE TITLE: Schedule of Fees Adopted by the Board

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 41, October 10, 2003, Florida Administrative Weekly and the Notice of Change as published in Vol. 30, No. 7, February 13, 2004, Florida Administrative Weekly are withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: 61G15-30.009      RULE TITLE: Retention of Engineering Documents

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 41, October 10, 2003, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-3.012      RULE TITLE: Equivalency for Prelicensing Education

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 29, No. 44, October 31, 2003, issue of the Florida Administrative Weekly. Changes have been made to the proposed rule that address comments made by the Joint Administrative Procedures Committee and for the purpose of publishing the specific text changes to the rule as approved by the Florida Real Estate Commission.

61J2-3.012 Equivalency for Prelicensing Education.

(1) Any person who has attended an accredited college, university, community college, area technical center or a real estate school licensed in Florida pursuant to s. 475.451, Florida Statutes, and who, while attending said institutions or real estate school, satisfactorily completed real estate courses covering substantially the same subject matter, classroom hours of attendance, and completion standards as prescribed by the Commission in Rule 61J2-3.008, F.A.C., shall be deemed to have satisfactorily completed the course.

(2) Any person who has obtained a degree with a major in real estate which substantially covers the Commission prescribed course subject matter at such college or university shall also be deemed to have satisfactorily completed the course. Application for equivalency evaluation shall be accompanied by an official transcript from the college or university or by appropriate certificate issued by a real estate school registered in Florida pursuant to s. 475.451, Florida Statutes, showing the real estate subjects taken together with date completed and grade attained. The Commission may request supportive documentation to determine course equivalency.

Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History--New 1-1-80, Amended 9-16-84, Formerly 21V-3.12, Amended 6-28-93, Formerly 21V-3.012, Amended 12-30-97, 1-18-00, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-5.018      RULE TITLE: Vacancies of Office

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 29, No. 44, October 31, 2003, issue of the Florida Administrative Weekly. Changes have been made to the proposed rule that address comments made by the Joint Administrative Procedures Committee and for the purpose of publishing the specific text changes to the rule as approved by the Florida Real Estate Commission.

61J2-5.018 Vacancies of Office.

(1) A corporation, limited liability company, limited liability partnership, or partnership shall have at all times registered the name(s) of its officer(s) and director(s). In the event that a corporation, limited liability company, limited liability partnership, or partnership has but one active broker, and such broker dies, resigns, or is otherwise removed from the position as the active broker, then, in such event, ~~such vacancy shall be filled within 14 calendar days during which no new brokerage business may be performed by the corporation or a licensee registered with the corporation until a new active broker is appointed and registered with the corporation.~~ The registration of the corporation, limited liability company, limited liability partnership, or partnership is cancelled. It shall be the duty of the corporation to immediately notify the Commission of such vacancy and of the steps taken to fill this vacancy.

(2) Failure to appoint another active broker ~~within 14 calendar days~~ will result in the automatic cancellation of the corporate registration, and the licenses of all its officer(s), director(s) and sales associate(s) will become involuntarily inactive.

(3) through (4) No change.

Specific Authority 475.05 FS. Law Implemented 475.15, 475.42, 475.01(3) FS. History—New 1-1-80, Formerly 21V-5.18, Amended 6-28-93, Formerly 21V-5.018, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-5.019  
 RULE TITLE: Responsibility for Registration Status

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule referenced above in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 29, No. 44, October 31, 2003, issue of the Florida Administrative Weekly. Changes have been made to the proposed rule that address comments made by the Joint Administrative Procedures Committee and for the purpose of publishing the specific text changes to the rule as approved by the Florida Real Estate Commission.

61J2-5.019 Responsibility for Registration Status.

(1) No change.

(2) No corporate registration or license of any ~~of its officers, directors, and sales associates~~ shall be valid unless and until such corporation has an active broker ~~other than as provided in Rule 61J2-5.018.~~

(3) No change.

Specific Authority 475.05 FS. Law Implemented 475.15, 475.42, 475.01 FS. History—New 1-1-80, Formerly 21V-5.19, Amended 6-28-93, Formerly 21V-5.019, Amended \_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

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

**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. 3, of the January 16, 2004, issue of the Florida Administrative Weekly. The change is in compliance with the instructions of the full Board who voted and approved the changes at a public hearing held on January 30, 2004.

The change is as follows: paragraph (2)(b) shall read:

(b) Visual acuity (unaided and with present correction at initial presentation; thereafter, unaided or with present correction);

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

**DEPARTMENT OF HEALTH**

**Division of Health Awareness and Tobacco**

RULE NO.: 64F-12.012  
 RULE TITLE: Records of Drugs, Cosmetics and Devices

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 52, on December 26, 2003, issue of the Florida Administrative Weekly. The changes are the result of written comments received in response to the Public Hearing on January 21, 2004.

Sub-paragraphs (16)(a)1. and (b), of Rule 64F-12.001, F.A.C., shall now read as follows:

64F-12.012 Records of Drugs, Cosmetics and Devices.

(16) Establishing an ongoing relationship pursuant to s. 499.0121(6)(d)5.b. and c. A wholesale distributor that is not listed as an authorized distributor of record on the list submitted to the department by a prescription drug manufacturer may request the department add the wholesale distributor to the department’s web site of authorized distributors of record for a drug manufacturer for purposes of the pedigree paper requirements of s. 499.0121(6)(d), F.S., that become effective March 1, 2004, provided that such wholesale distributor satisfies the requirements of subsections (a) or (b) below.

(a) No change.

1. To document total annual prescription drug sales of \$100 million or more submit either:

a. No change.

b. A signed attestation from a certified public accountant that the establishment or affiliated group, if applicable, had total annual prescription drug sales of \$100 million or more in the most recent fiscal year. OR

c. No change.

and

2. through 3. No change.

(b) No change.

1. To document total annual prescription drug sales of \$100 million or more submit either:

a. No change.

b. A signed attestation from a certified public accountant that the establishment or affiliated group, if applicable, had total annual prescription drug sales of \$100 million or more in the most recent fiscal year, OR

c. No change.

2. No change.

a. If the wholesaler is a member of an affiliated group and all purchases from that manufacturer are made at a central location for the wholesaler, copies of at least 12 invoices dated during the previous 12 months from the date the information is submitted, which invoices document purchases of prescription drugs, at least one unit of which on each invoice was not returned, under that central account number but shipped to the wholesaler's address for whom the authorized distributor of record status is claimed. A statement under oath must be provided that the invoices document purchases of prescription drugs for the wholesaler for whom the authorized distributor of record status is claimed and that the wholesaler did not return to the manufacturer at least one unit of the prescription drugs on each invoice.

b. If the wholesaler is a member of an affiliated group and all purchases from that manufacturer are made at a central location and received at a central location for the wholesaler, copies of at least 12 invoices dated during the previous 12 months from the date the information was submitted, under the same account number which is clearly assigned to the wholesaler at the permitted address. Each invoice must document the purchase of prescription drugs, of which at least one unit identified on the invoice was not returned. A statement under oath must be provided that the invoices document purchases of prescription drugs by that central location and that the central location or wholesaler for which the drugs were obtained did not return to the manufacturer at least one unit of the prescription drugs on each invoice, and that the central location shipped at least 12 times to the individual wholesaler for whom the authorized distributor of record status is claimed during the 12 months based on the fiscal year or designated timeframe.

c. For all other wholesale distributors, copies of at least 12 invoices dated during the previous 12 months from the date the information was submitted, under the same account number that is clearly assigned to the wholesaler at the permitted address. Each invoice must document the purchase of prescription drugs, of which at least one unit identified on the invoice was not returned. A statement under oath must be provided that the invoices document purchases of prescription drugs by that wholesaler and that the wholesaler did not return to the manufacturer at least one unit of the prescription drugs on each invoice.

Specific Authority 499.01, 499.012, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS. Law Implemented 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028, 499.04, 499.041, 499.05, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067 FS. History--New 12-12-82, Amended 7-8-84, 1-30-85, Formerly 10D-45.54, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.054, Amended 1-26-99, 4-17-01, 10-29-02, 7-6-03, 1-1-04, \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sandra Stovall, Compliance Officer, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257, Ext. 210, sandra\_stovall@doh.state.fl.us.fl

## FISH AND WILDLIFE CONSERVATION COMMISSION

### Marine Fisheries

RULE CHAPTER NO.: RULE CHAPTER TITLE:  
68B-22 Red Drum (Redfish)  
RULE NO.: RULE TITLE:  
68B-22.007 Catch-Hold-and-Release  
Tournament Exemption

### NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed amendments and new rule for Rule Chapter 68B-22, F.A.C., relating to red drum (redfish), as published in the January 2, 2004 issue of the Florida Administrative Weekly, Vol. 30, No. 1, pages 105-107. The proposed amendments to Rules 68B-22.002 and 68B-22.005, F.A.C., were not changed.

Proposed new Rule 68B-22.007 was changed to read:

68B-22.007 Catch-Hold-and-Release Tournament Exemption.

(1) Except as provided in this rule, the practice of catching, holding, and releasing redfish is prohibited. The Executive Director of the FWC, or his designee, shall issue a tournament exemption permit to the director of a catch-and-release fishing tournament to allow redfish to be caught, held, and released during the tournament, and to allow the tournament to exceed redfish bag and possession limits pursuant to subsection 68B-22.005(1), F.A.C., after redfish have been weighed-in, provided that each of the following conditions is met:

(a) Tournament anglers and tournament staff agree to attempt to release alive all redfish that are caught, including those fish that are weighed-in.

(b) Each two person team of tournament anglers possesses no more than two live redfish in the boat's live well or recirculating tank at any one time.

(c) All boats used in the tournament contain recirculating or aerated live wells that are at least 2.4 cubic feet or 18 gallons in capacity.

(d) Dead redfish possessed by a two person team of tournament anglers are not discarded. A dead redfish is considered harvested and will count as the daily bag limit for the team of tournament anglers who harvested that fish.

(e) Redfish are maintained in an aerated recovery holding tank prior to release. Recovery holding tank requirements may be specified in the tournament exemption permit at the FWC's discretion in order to increase survival of released redfish.

(f) The tournament provides the FWC with a description of the aerated recovery holding tank(s) used to maintain redfish alive after weigh-in.

(g) The tournament provides the FWC with a description of the location where tournament caught redfish will be released after they are weighed in. In order to increase survival of released redfish, release locations may be specified in the tournament exemption permit at the FWC's discretion.

(h) The tournament permit holder shall submit a post-tournament report to the FWC indicating the number of fished weighed-in each day of the tournament, the number of fish weighed in dead each day, and the number of fish that died after being weighed-in, but prior to release each day. The FWC may specify additional tournament reporting requirements as a condition of the tournament exemption permit.

(i) The tournament agrees to allow FWC staff the opportunity to collect research data and conduct research and onboard monitoring during the tournament, as needed.

(2) Application for issuance of a tournament exemption permit shall be made on a form provided by the FWC (Form DMF-SL 5000 (3-04), incorporated herein by reference). Tournament exemption permits will only be issued to catch-and-release redfish tournaments that agree to the permit conditions in subsection (1).

(3) Any anglers participating in a redfish tournament for which a tournament exemption permit has been issued shall have a copy of the permit in his or her possession at all times during tournament operating hours.

(4) Any violation of the conditions and requirements specified within the tournament exemption permit will be considered a violation of this rule.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
68B-24	Spiny Lobster (Crawfish) and Slipper Lobster
RULE NOS.:	RULE TITLES:
68B-24.0055	Commercial Requirements; Appeals
68B-24.006	Gear: Traps, Buoys, Identification Requirements, Prohibited Devices

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed amendments for Rule Chapter 68B-24, F.A.C., relating to spiny lobster, as published in the January 2, 2004 issue of the Florida Administrative Weekly, Vol. 30, No. 1, pages 107-110. The only changes approved by the Commission at its February 5, 2004, public hearing were to subsection (4) of Rule 68B-24.0055, F.A.C., and to subsection (10) of Rule 68B-24.006, F.A.C. The remainder of the rule amendments will be adopted as originally published.

The changed provisions will read as follows:

68B-24.0055 Commercial Requirements; Appeals.

(4) Commercial harvest limits in Monroe County:

(a) Beginning August 6, ~~2004~~ 2003, persons harvesting lobster commercially by diving in Broward, Dade, Monroe, Collier, and Lee Counties or adjacent federal EEZ waters shall be subject to a daily vessel harvest, and possession limit of 250 spiny lobsters per day. For purposes of this paragraph, persons shall be considered to be harvesting lobster by diving if they are harvesting pursuant to a saltwater products license with a restricted species permit and crawfish license with a commercial dive permit or trap number and are simultaneously in possession of any artificial underwater breathing apparatus or gear.

~~(b) Beginning in the 2004 2005 fishing season, the daily harvest and possession limit in paragraph (a) shall apply to persons possessing a valid commercial diver permit issued pursuant to subsection (2).~~

~~(c) Except as provided in paragraph (d),~~ No more than 250 spiny lobsters shall be possessed aboard or landed from any vessel within these counties regardless of the number of commercial harvesters on board harvesting pursuant to this subsection.

~~(d) During the 2003 2004 fishing season, on any vessel from which spiny lobster are harvested commercially by diving, a vessel possession limit of 500 spiny lobsters shall apply if there are at least two commercial divers on board, each of whom must possess valid 2002-2003 and 2003-2004 saltwater products licenses, with restricted species endorsement and a valid crawfish endorsement applicable for both years. This documentation must match the individual diver's identity and be presented upon request.~~

68B-24.006 Gear: Traps, Buoys, Identification Requirements, Prohibited Devices.

(10) No person shall harvest any spiny lobster from artificial habitat. The harvest and possession in the water of spiny lobster in excess of the recreational bag limit is hereby prohibited within 10 yards of artificial habitat.

**DEPARTMENT OF FINANCIAL SERVICES****Division of Workers' Compensation**

RULE NO.: 69L-6.012                      RULE TITLE: Notice of Election to be Exempts  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed Rule 69L-7.012, F.A.C., in accordance with subparagraph 120.54(3)(d)1., Florida Statutes, published in Vol. 29, No. 42, October 17, 2003, of the Florida Administrative Weekly. These changes are being made to address concerns expressed at the public hearing.

Subsections (1) and (2) are changed to read:

(1) Certificates of Election to be Exempt issued on or before December 31, 2003, to persons engaged in the construction industry are void on and after January 1, 2004, pursuant to Chapter 2003-412, Laws of Florida, Chapter 2003-422, Laws of Florida, does not affect the provisions of Chapter 2003-412, Laws of Florida, and Chapter 440, Florida Statutes, beyond allowing persons engaged in the construction industry to qualify for the issuance of a Certificate of Election to be Exempt, Form DWC-252, if the person is a member and ten percent (10%) owner of a Limited Liability Company created and approved under Chapter 608, Florida Statutes.

(2) Legislative changes made through Chapters 2003-412 and 2003-422, Laws of Florida, that are effective January 1, 2004, allow only certain corporate officers engaged in the construction industry to file a Notice of Election to be Exempt and to be issued a valid Certificate of Election to be Exempt, Form DWC-252, as incorporated in subsection (17)(a) below, by the Department pursuant to Section 440.05, Florida Statutes. Only corporate officers who meet the conditions on the issuance of valid exemptions stated in Chapter 440, Florida Statutes, and implemented by this rule may file a Notice of Election to be Exempt. Only a business entity organized under Chapter 607 or Chapter 617, Florida Statutes, will qualify as a corporation for purposes of issuing a Certificate of Election to be Exempt to a corporate officer under this rule. While a limited liability company created and approved under Chapter 608, Florida Statutes, is not a corporation for purposes of Chapter 440, Florida Statutes, persons engaged in the construction industry who are limited liability company members owning at least ten percent (10%) of the limited liability company qualify as a "corporate officer" and are eligible for the issuance of a Certificate of Election to be Exempt under this rule.

Paragraph (5)(b) is changed to read:

(b) Is eligible for the issuance of the Certificate of Election to be Exempt under Chapter 440, Florida Statutes, as amended by Chapters 2003-412 and 2003-422, Laws of Florida, and

Subsection (7) is changed to read:

(7) The Department shall inform an applicant who files a Notice of Election to be Exempt (DWC-250), which is incorporated in Rule 69L-6.009, F.A.C., on the basis that the

applicant is a sole proprietor of a construction industry sole proprietorship or a partner in a construction industry partnership of the limitation of construction exemptions pursuant to Chapter 2003-412, Laws of Florida, and the availability of, conditions on, and procedures to obtain a valid corporate officer construction exemption.

Subsection (9):

Paragraph (c) is changed to read:

(c)4. ~~The~~ A Federal Employer Identification Number issued to the corporation or limited liability company, as applicable, named by the corporate officer on the Notice of Election to be Exempt business associated with the sole proprietor or partner, applying for the exemption;

Paragraph (e) is changed to read:

(e) The Florida Department of State, Division of Corporations, registration number of the corporation or limited liability company, as applicable, named on the Notice of Election to be Exempt;

Paragraph (f) is changed to read:

(f) For corporate officers of a corporation, a copy of the stock certificate(s) issued to the applicant by the corporation named on the Notice of Election to be Exempt evidencing at least ten percent (10%) ownership of the named corporation by the applicant on the date that the Notice of Election to be Exempt is filed with the Department;

Paragraph (g) is added to read and the remaining paragraphs renumbered:

(g) For members of a limited liability company, documentation establishing or a notarized statement attesting that the applicant owns at least ten percent (10%) of the limited liability company named on the Notice of Election to be Exempt on the date that the Notice of Election to be Exempt is filed with the Department;

Paragraph (i) is changed to read:

(i) The applicant's corporate officer title or member status;  
Paragraph (10) is changed to read:

(10) For Notices of Election to be Exempt by a corporate officer or an officer of a corporation, as defined in section 440.02(9), Florida Statutes, if the applicant is in the construction industry and the Department's records show three active Certificates of Election to be Exempt issued to corporate officers of a corporation or of any group of affiliated corporations, the Department shall deny any Notice of Election to be Exempt that would result in more than three active Certificates of Election to be Exempt issued in the name of corporate officers of the corporation or group of affiliated corporations.

Subsection (13) is changed to read:

(13)(5) Any ~~sole proprietor, partner or~~ corporate officer of a construction corporation, member of a limited liability company, or corporate officer of a non-construction corporation who has been issued an exemption from the

provisions of Florida’s workers’ compensation law (Chapter 440, Florida Statutes), may revoke such exemption by filing with the Division a Revocation of Election to be Exempt (DWC-250-R) as adopted in Rule 69L-6.009, F.A.C.

Subsection (17) is changed to read:

(17) The following forms are hereby incorporated by reference and can be obtained from the Bureau of Compliance, Division of Workers’ Compensation, at www.fldfs/wc/ or from any field office identified in Rule 69L-6.009, F.A.C.:

(a) Form DWC-252, Certificate of Exemption (revised January 2004).

(b) Form DWC-250X, Application for Re-Issuance of Notice of Election to be Exempt (revised February 2004).

(c) Form DWC-253, Re-issuance of Construction Industry Certificate of Exemption (revised September 2003).

The remainder of the reads as previously published.

**DEPARTMENT OF FINANCIAL SERVICES**

**Office of Insurance Regulation**

RULE NOS.:	RULE TITLES:
69O-149.0025	Definitions
69O-149.003	Rate Filing Procedures
69O-149.021	Form Filing Procedures
69O-149.037	Calculation of Premium Rates

**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. 3, January 16, 2004, of the Florida Administrative Weekly. These changes are being made to address concerns expressed at the public hearing.

69O-149.0025(23), paragraph (a) and subparagraph (b)1., F.A.C., are changed to read:

(a) If the coverage provides specific excess, has an attachment point for claims incurred per individual at least equal to \$20,000.

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

1. The greater of \$20,000 and 120 percent of expected claims for coverage issued to a small employer meeting the definition in Section 627.6699(3)(v), F.S., or

69O-149.003(2)(a)2.a., F.A.C., is changed to read:

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

69O-149.021(1)(a)2.a., F.A.C., is changed to read:

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

paragraph (b), on business days between the hours of 8:00 a.m. and 5:00 p.m. eastern time. Filings received after 5:00 p.m. shall be considered to be received the following business day. 69O-149.037: The proposed amendments to this rule have been withdrawn.

The remainder of the rule reads as previously published.

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF THE LOTTERY**

RULE TITLE: Instant Game Number 544, CASH BONANZA      RULE NO.: 53ER04-9

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 544, “CASH BONANZA,” 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 and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER04-9 Instant Game Number 544, CASH BONANZA.

(1) Name of Game. Instant Game Number 544, “CASH BONANZA.”

(2) Price. CASH BONANZA lottery tickets sell for \$10.00 per ticket.

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





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 2-9-04.

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

EFFECTIVE DATE: February 9, 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 Medicine**

RULE TITLE: MORATORIUM ON COMBINED LIPOSUCTION/ ABDOMINOPLASTY PROCEDURES IN OFFICE SURGERY SETTINGS. RULE NO.: 64B8ER04-2

**SPECIFIC REASON FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** The Board of Medicine has statutory authority to set standards of practice in various medical practice settings. Over the last decade, the practice of physicians performing surgery in their offices rather than in hospitals or ambulatory surgery centers has expanded both in numbers of surgeries and the complexity and duration of the surgical services being provided. As the Board of Medicine and the public have become increasingly aware of the risks and adverse results of some office surgeries, through evidence such as individual disciplinary cases and adverse incident reports, the Board has responded to the trend by adopting rules regulating office surgery including standards of practice rules necessary to limit the likelihood of adverse incidents arising from surgeries in physicians offices.

On February 6-7, 2004, the Board of Medicine was once again reminded of the possible risks and adverse results from office surgeries when it was presented with evidence in the form of adverse incident reports from four of the eight most recent office surgery deaths during the period of August 2002 to January 2004. These reports reflected multiple deaths of patients who had liposuction and abdominoplasty procedures on the same day in the office surgery setting. The Board of Medicine believes that this combination of procedures may be increasing abdominal pressure and decreasing venous return from the lower extremities in a state of hypercoagulability secondary to tissue injury, which may increase the likelihood of pulmonary emboli and that such a possibility presents an immediate danger to the public health, safety and welfare.

The Board does not believe it can allow this alarming trend to continue without taking action. Hence, the Board believes that the filing of a narrowly tailored emergency rule placing a 90 day moratorium on liposuction and abdominoplasty procedures being performed within 14 days of each other on the same patient in an office surgery setting is justified.

The purpose of this limited moratorium is twofold: first, to protect the lives of patients who intend to undergo this combination procedure in an office surgery setting and second, to assist the Board in obtaining further evidence so that it may determine whether any permanent regulatory action is needed addressing the performance of liposuction/abdominoplasty combination procedures in office surgery settings.

**REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:** The procedure employed for adopting this emergency rule is fair under the circumstances. Upon approval of the emergency rule and prior to its actual filing, the Board of Medicine and the Department of Health issued a press release announcing the Board action and conducted a noticed telephone press conference for the media and the public where participants were given the opportunity to ask questions related to the emergency rule. The Chair, the Vice-Chair, and the Executive Director of the Board attended the press conference and made themselves available to answer any questions related to the rule. Board staff has also immediately notified all registered office surgery facilities of the moratorium and intend to provide each facility with a copy of the rule once its filed.

The Board acknowledges that in promulgating this rule it has acted with limited prior notice. However the Board believes that exigent circumstances and the rule’s limited scope and design mitigates any perceived shortcomings.

**SUMMARY OF THE RULE:** The rule prohibits the combination of abdominoplasty and liposuction in all office surgical settings and requires the submission of office surgical logs.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

64B8ER04-2 Moratorium on Combined Liposuction/ Abdominoplasty Procedures in Office Surgery Settings.

(1) Effective upon filing of this emergency rule, there shall be a 90 day moratorium on liposuction and abdominoplasty procedures performed within 14 days of each other on the same patient in an office surgery setting as defined by paragraph 64B8-9.009(1)(d), Florida Administrative Code.

(2) Physicians licensed pursuant to Chapter 458, Florida Statutes, who perform level II and/or III office surgery, as defined by subsections 64B8-9.009(4), (5), and (6), Florida Administrative Code, shall submit copies of their office

surgery logs, as defined by paragraph 64B8-9.009(2)(c), Florida Administrative Code, for surgeries performed from June 1, 2002 through January 31, 2004, with the Department of Health within 90 days from the filing of this rule.

Specific Authority 458.331(1)(v), 120.54(4) FS. Law Implemented 4458.331(1)(v) FS. History—New 2-11-04.

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

EFFECTIVE DATE: February 11, 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."

---

#### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on February 2, 2004, South Florida Water Management District received an amended Petition for waiver from Collier County Board of County Commissioners, Application Number 03-0423-1, for utilization of Works or Lands of the District known as the Airport Road Canal, Collier County, for proposed road, bridge and drainage facilities as well as canal alterations associated with the Golden Gate Parkway and Airport-Pulling Road overpass. The petition seeks relief from subsections 40E-6.011(4),(5),(6), and paragraph 40E-6.221(2)(j), Fla. Administrative Code, which governs placement of above-ground permanent and semi-permanent encroachments (concrete curb and gutter, roadway, bridge piers, and concrete barrier wall), and the placement of a box culvert bridge within the Airport Road Canal south of Pine Ridge Road within Works or Lands of the District.

A copy of the petition may be obtained from: Kathie Ruff, (561)682-6320, email: [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov).

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

---

NOTICE IS HEREBY GIVEN that on January 21, 2003, South Florida Water Management District (District) received a petition for waiver from Roger M. Whetstone, Application No. 03-1205-3, for utilization of Works or Lands of the District known as the Hillsboro Canal in Broward County, for the proposed placement of a fence enclosure and trees, approximately 23' from the top of the canal bank within the southerly right of way of the Hillsboro Canal at the rear of 5411 N. N. W. 77th Court, Section 31, Township 47S, Range 42E. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above ground structures within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the petition may be obtained from: Kathie Ruff, (561)682-6320, e-mail: [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov).

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

---

#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Board of Architecture and Interior Design hereby gives notice that it has received a petition, filed on January 5, 2004 on behalf of Ashley J. Haynes., seeking a waiver of Rule 61G1-22.001 and/or 61G1-22.002, Florida Administrative Code, with respect to training and experience under the direct supervision of a registered interior designer.

Comments on this petition should be filed with the Board of Architecture and Interior Design, 1940 North Monroe Street, Northwood Centre, Tallahassee, FL 32399-0750, within 14 days of publication of this notice.

For a copy of the petition, contact: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, at the above address.

---

#### **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**

NOTICE IS HEREBY GIVEN THAT ON February 9, 2004, the Board of Physical Therapy Practice received a Petition for Variance or Waiver from subsections 64B17-3.001(4), (5) and 64B17-3.002(4), F.A.C., from Enisa Begic. The Petition requests a variance or waiver of these rules that specify higher educational credentials before licensure and recognize fewer credentials evaluators than was the case at the time when Petitioner was first approved to sit for the licensure examination.

Comments on this Petition should be filed with: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. This petition will be considered at the next meeting of the board on March 4-5, 2004. For more information contact: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

NOTICE IS HEREBY GIVEN THAT ON February 9, 2004, the Board of Physical Therapy Practice received a Petition for Variance from Rule 64B17-3.003, F.A.C., from Betty Marshall. The Petition requests a variance from the rule that specifies that she pass the NPTE examination.

Comments on this Petition should be filed with: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. This petition will be considered at the next meeting of the board on March 4-5, 2004. For more information contact: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

NOTICE IS HEREBY GIVEN THAT ON February 6, 2004, the Board of Physical Therapy Practice received a Petition for Waiver of subsection 64B17-3.001(5), F.A.C., from Maria Lourdes Hermoso, PT. The Petition requests a waiver from the rule that requires a minimum of 75 professional education credits for licensure.

Comments on this Petition should be filed with: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. This petition will be considered at the next meeting of the board on March 4-5, 2004. For more information contact: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

**Section VI****Notices of Meetings, Workshops and Public Hearings**

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

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

DATE AND TIME: March 9, 2003, 9:00 a.m.

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

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

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

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

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

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

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

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

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

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

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

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set

forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

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

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

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

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

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

---

## DEPARTMENT OF STATE

The **Florida Historical Commission** announces four public meetings to which all persons are invited.

Grant Review Panel for Historic Preservation Acquisition and Development Applications

**DATES AND TIME:** Monday, March 22, 2004; Tuesday, March 23, 2004, 9:00 a.m.

**PLACE:** R. A. Gray Building, Auditorium, 500 South Bronough Street, Tallahassee, Florida

Grant Review Panel for Historic Preservation Survey and Planning Applications

**DATES AND TIME:** Monday, March 22, 2004; Tuesday, March 23, 2004, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review applications submitted to the Bureau of Historic Preservation by December 15, 2003 deadline for State and Federal grant assistance for historic preservation projects, and to recommend priority ranking and funding levels for grant awards.

A copy of the agenda may be obtained by writing: Mr. Robert Taylor, Historic Preservationist Supervisor, of Historic Preservation, Department of State, R. A. Gray Building, 500 South Bronough, Tallahassee, Florida 32399-0250 or calling (850)245-6333.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Chapter 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Bureau of Historic Preservation, (850) 245-6333, Fax (850)245-6437.

---

The **Florida Historical Commission** announces public meetings to which all persons are invited.

DATE AND TIME: Wednesday, March 23, 2004, 1:00 p.m.  
PLACE: R. A. Gray Building, Third Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To review recommendations for National Register Nomination Proposals.

DATE AND TIME: Wednesday, March 24, 2004, 1:00 p.m.  
PLACE: R. A. Gray Building Auditorium, 500 South Bronough Street, Tallahassee, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Florida Historical Commission and to conduct a town meeting and receive public input.

A copy of the agenda may be obtained by writing: Ms. Allison McCarthy, Special Projects Coordinator, Division of Historical Resources, Florida Department of State, R. A. Gray Building, 500 South Bronough, Tallahassee, Florida 32399-0250, (850)245-6300.

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 Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Bureau of Historic Preservation, (850)245-6333, Fax (850)245-6437.

---

The **Florida Folklife Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 24, 2004, 11:00 a.m.  
PLACE: R. A. Gray Building, Third Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Folklife Council Meeting and to present Florida Folk Heritage Awards.

A copy of the agenda may be obtained by writing: Sharon Reddick, Division of Historical Resources, Florida Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6360.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Bureau of Historic Preservation, (850)245-6360, Fax (850)245-6437.

---

The **Department of State, Division of Cultural Affairs**, Florida Arts Council, announces public meetings to which all persons are invited:

DATES AND TIMES: Wednesday, March 17, 2004, 10:00 a.m. – conclusion; Thursday, March 18, 2004, 9:00 a.m. – conclusion (if necessary)

PLACE: R. A. Gray Building Auditorium, 500 South Bronough Street, First Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and general session meetings of the Florida Arts Council.

A copy of the agenda may be accessed at the Division of Cultural Affairs' website: [www.Florida-Arts.org](http://www.Florida-Arts.org), or by contacting: Dianne Alborn, Executive Assistant, 500 South Bronough Street, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6473, email: [dalbom@dos.state.fl.us](mailto:dalbom@dos.state.fl.us).

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Division of Cultural Affairs will not record these meetings. Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the Division office by the 12th day of March 2004, if you need an accommodation. Accommodations can be arranged through Dana DeMartino, ADA Coordinator for the Division of Cultural Affairs, (850)245-6477, Fax (850)245-6492, email: [ddemartino@dos.state.fl.us](mailto:ddemartino@dos.state.fl.us).

---

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Department of Agriculture and Consumer Services** announces a meeting of the Florida Aquaculture Review Council.

DATE AND TIME: March 24, 2004, 9:00 a.m.

PLACE: Division of Aquaculture Conference Room, 1203 Governor's Square Boulevard, Fifth Floor, Tallahassee, 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, 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.

The Florida **Department of Agriculture and Consumer Services** announces a meeting to which all persons are invited:

DATE AND TIME: Monday, March 22, 2004, 10:00 a.m.

PLACE: 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Consumers' Council will be meeting to discuss consumer-related issues and proposed legislation for the 2004 Florida session addressing issues of interest to consumers.

A copy of the agenda may be obtained by contacting: Mr. James R. Kelly, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

The Florida **Department of Agriculture and Consumer Services** announce a meeting to which all persons are invited:

DATE AND TIME: Tuesday, March 23, 2004, 10:00 a.m.

PLACE: 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Motor Vehicle Advisory Council will be meeting to discuss consumer-related issues and proposed legislation for the 2004 Florida session addressing issues of interest to consumers.

A copy of the agenda may be obtained by contacting: Mr. James R. Kelly, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

The **Office of Agricultural Water Policy** announces a Nursery Best Management Practices (BMPs) development meeting to which all interested persons are invited:

DATE AND TIME: March 4, 2004, 6:00 p.m. – 8:00 p.m.

PLACE: Broward County Extension Office, 3245 College Avenue, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting is designed to allow all interested parties the opportunity to participate in the development of a Best Management Practices manual for the Nurseries in the geographic boundary of the South Florida Water Management District. Once developed this manual will be the basis for a statewide Nursery BMP initiative.

Participants will discuss specific management options for each area of the BMP outline designed at the previous working group meetings.

For more information please contact: Mr. Ken Kuhl, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governors Square Blvd., Suite 200, Tallahassee, FL 32301, (850)488-6249, Suncom (850)278-6249, website: [www.floridaagwaterpolicy.com](http://www.floridaagwaterpolicy.com).

Pursuant to Chapter 286.26, Florida Statutes, any persons requiring special accommodations due to disability or physical impairment should contact the agency at least 48 hours prior to the meeting to request any special assistance.

**DEPARTMENT OF EDUCATION**

The **Florida Alliance for Assistive Services and Technology, Inc.**, Board of Directors announces a public meeting to which all persons are invited to attend:

DATE AND TIME: Thursday, March 11, 2004, 9:00 a.m. – 3:00 p.m.

PLACE: Doubletree Hotel Tallahassee, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to conduct such business as specifically on the agenda. Time will be set aside to solicit input from the public concerning assistive technology needs and services.

If you have any questions, please contact: FFAST, Inc., 325 John Knox Road, Bldg. B., Tallahassee, FL 32303, (850)487-3278.

If you would like to present information to the Board of Directors, or if you require reasonable accommodations due to a disability, please contact FFAST, Inc. at the above address at least 14 working days in advance of the meeting. If a person decides to appeal any decision made by the Board of Directors with respect to any matter considered at such meetings, the person will need a record of the proceedings.

Additionally, the Board of Directors conduct committee teleconferences, at the call of the committee Chairs, to accomplish the goals and objectives of the committees between full Board meetings. If you would like to present information to a FAAST committee, attend a committee teleconference, or require reasonable telecommunication accommodations due to a disability, please contact the FAAST, Inc. office in writing at the above address.

---

The **Commission for Independent Education** announces a workshop on Foreign Medical Schools to which all persons are invited. Public comment will be taken.

DATES AND TIMES: February 26, 2004, 9:00 a.m.; February 27, 2004, 9:00 a.m. – Commission Meeting

PLACE: Marriott Tampa Airport, Tampa Airport, Tampa, Florida, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: February 26, 2004 – To take input regarding the Foreign Medical School Rule 6E-2.0042, F.A.C., related issues and licensure; February 27, 2004 – Commission Meeting to discuss information received on February 26, 2004 and other general Commission business.

A copy of the agenda may be obtained by writing: Commission Office, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Area of Critical State Concern, (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The State of Florida, **Department of Education, Education Practices Commission** announces a New Commission Member Training Session; the public is invited to observe (public comment will not be taken).

New Commission Member Training Session

DATE AND TIME: February 26, 2004, 9:00 a.m.

PLACE: Crowne Plaza Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Education Practices Commission considers final agency action in matters dealing with the disciplining of certified educators. This Training Session will serve to train new members of the Education Practices Commission who will sit on future Teacher and/or Administrator Hearing Panels.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, Room 224, Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

---

The State of Florida, **Department of Education, Education Practices Commission** announces an Administrator Hearing Panel all persons are invited.

Administrator Hearing

DATE AND TIME: February 26, 2004, 1:30 p.m.

PLACE: Crowne Plaza Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Administrator Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at 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, 224 Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

---

The State of Florida, **Department of Education, Education Practices Commission** announces a Commission Member In-Service Session; the public is invited to observe (public comment will not be taken).

Commission Member In-Service Session

DATE AND TIME: February 26, 2004, immediately following the Administrator Hearing Panel at 1:30 p.m. or as soon thereafter as possible

PLACE: Crowne Plaza Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Education Practices Commission considers final agency action in matters dealing with the disciplining of certified educators. This In-Service Session will be provided to current members of the Education Practices Commission who will sit on future Teacher and/or Administrator Hearing Panels.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.



**SPECIAL ACCOMMODATION:** Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

The State of Florida, **Department of Education, Education Practices Commission** announces a Teacher Hearing Panel; all persons are invited.

Teacher Hearing

**DATE AND TIME:** February 27, 2004, 9:00 a.m.

**PLACE:** Crowne Plaza Hotel, 5555 Hazeltine National Drive, Orlando, Florida 32812, (407)856-0100

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Teacher Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at 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, 224 Turlington Building, Tallahassee, Florida 32399-0400.

**SPECIAL ACCOMMODATION:** Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

The **Duval County Research and Development Authority** announces a business meeting.

**DATE AND TIME:** March 2, 2004, 3:00 p.m. – 5:00 p.m.

**PLACE:** University of North Florida, President’s Conference Room, Building 1/Room 2800, 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.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**NOTICE OF CORRECTION –** The Code Administration Technical Advisory Committee of the **Florida Building Commission** announces the cancellation of the following meeting.

Meeting of the Code Administration Technical Advisory Committee

**DATE AND TIME:** March 1, 2004, 1:00 p.m.

**PLACE:** The Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819, 1(800)366-9700

The **Department of Agriculture and Consumer Services** announces two meeting of the Citrus Production Research Advisory Council.

**DATES AND TIME:** Tuesday, March 9, 2004; Tuesday, March 23, 2004, 9:30 a.m.

**PLACE:** Citrus REC-Lake Alfred, 700 Experiment Station Rd, Lake Alfred, Florida 33850-2299, (863)956-4631

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** For the Research Council to review citrus research projects, pre proposals for the year 2004-2005, decide which will move to the full proposal step address other issues as needed.

If special accommodations are needed to attend this meeting because of a disability, please contact: Tony Fendrick, (850)487-3153.

**DEPARTMENT OF TRANSPORTATION**

The Florida **Department of Transportation** announces a public meeting to which all persons are invited

**DATE AND TIME:** March 1, 2004, 9:00 a.m. – 5:00 p.m.

**PLACE:** Florida Department of Transportation, 605 Suwannee Street, 2nd Floor, Suwannee Room, Tallahassee, Florida 32399-0450

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Statewide Intermodal Transportation Advisory Council (SITAC) Meeting.

A copy of the agenda may accessed through the web site at [www.dot.state.fl.us/planning/sis/](http://www.dot.state.fl.us/planning/sis/) or be obtained by writing: Florida Department of Transportation, 605 Suwannee Street, MS 28, Tallahassee, Florida 32399-0450 or by calling Vicki Matsumura, (850)414-4800.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 72 hours before the meeting by contacting: Vicki Matsumura, (850)414-4800.

The Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: March 4, 2004, 6:15 p.m.

PLACE: The R. M. Paterson Elementary School, 5400 Pine Avenue, Orange Park, 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 Section 71020 U.S. 17; otherwise known as State Road 15 in Clay County, Florida. The Florida Department of Transportation with Centex Homes, Inc. will present the Project Development and Environmental Study findings concerning alternatives for widening the corridor from a 4 lane roadway to a 6 lane roadway with median changes from 0.3 miles south of Margaret's Walk Road to 0.8 miles north of Artis Road. No additional right of way will be required for the roadway improvements.

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 (904)360-5614. Special accommodations requested under the Americans with Disabilities Act should be made at least seven days prior to the Public Hearing.

A copy of the agenda may be obtained by writing: Mr. Aage Schroder, District Secretary, Florida Department of Transportation District 2, 1109 S. Marion Avenue, Lake City, Florida 32025-5874.

The **Florida Wildflower Advisory Council** announces a meeting to which all persons are invited.

DATES AND TIMES: Tuesday, March 10, 2004, 12:00 Noon – 5:00 p.m.; Wednesday, March 11, 2004, 8:00 a.m. – 5:00 p.m.

PLACE: Maclay Gardens, Gardener's Cottage, 3540 Thomasville Road, Tallahassee, Florida 32309 (Entrance fees to the park will be waived for all persons involved with the meeting)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to conduct general business.

For information please contact: Mr. Jeff Caster, State Transportation Landscape Architect, Florida Department of Transportation, 605 Suwannee Street, MS #37, Tallahassee, Florida 32399-0450, (850)410-5892, jeff.caster@dot.state.fl.us.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jeff Caster, (850)410-5892, prior to the meeting.

The Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: March 25, 2004, 7:00 p.m.

PLACE: The Yulee Elementary School, 389 Felmor Road, Yulee, 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 ID 210711-1 and 210712-1; otherwise known as State Road 200/A1A in Nassau County, Florida. The Florida Department of Transportation will present the Project Development and Environmental Study findings concerning proposed transportation improvements for widening the corridor from a 4 lane roadway to a 6 lane roadway from I-95 to west of the Amelia River Bridge. Minimal additional right of way will be required for the proposed project.

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 (386)758-3700 or 1(800)749-2967. Special accommodations requested under the Americans with Disabilities Act should be made at least seven days prior to the Public Hearing.

A copy of the agenda may be obtained by writing: Mr. Aage Schroder, District Secretary, Florida Department of Transportation District 2, 1109 S. Marion Avenue, Lake City, Florida 32025-5874.

**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."

**EXECUTIVE OFFICE OF GOVERNOR'S**

The **Governor's Office of Tourism, Trade and Economic Development** announces a public meeting via conference call to which all persons are invited.

MEETING: The Emerging Technology Commission

DATE AND TIME: Tuesday, March 2, 2004, 11:00 a.m. – 1:00 p.m.

PLACE: State Capitol, Suite 2107, Tallahassee, FL, Conference Call Numbers 1(850)921-2530, Suncom 291-2530

GENERAL SUBJECT MATTER TO BE DISCUSSED: The Office of Tourism, Trade and Economic Development will convene The Emerging Technology Commission along with representatives from each Center of Excellence. Among topics discussed will be reviewing the quarterly reports submitted by the 3 Centers of Excellence.

For further information, contact: Stephanie Smith, Governor's Office of Tourism, Trade and Economic Development, The Capitol, Suite 2001, Tallahassee, FL 32399-0001, (850)487-2568.

Any person requiring a special accommodation at this meeting because of a disability should contact Stephanie Smith, (850)487-2568, no later than 48 hours prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay, 1(800)955-8770 (Voice) or 1(800)955-8771, (TDD).

---

The **Governor's Commission on Volunteerism and Community Service**, Volunteer Florida, is pleased to announce a meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 3, 2004, 12:00 Noon

PLACE: Brasserie Las Olas, 333 E. Las Olas Blvd., Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Volunteer Florida CEO and Ft. Lauderdale Commissioners luncheon discussion of Commissioner roles and responsibilities.

Please contact Gwen Erwin, (850)921-5172, for a meeting agenda.

If you require a reasonable accommodation to participate, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

---

#### REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Council**, Personnel, Budget and Finance Policy Committee sitting as a Special Committee on pending litigation pursuant to Section 286.011(8), F.S., announces the following public/shade meeting to which to which all persons are invited:

DATE AND TIME: Monday, March 1, 2004, 1:30 p.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending litigation.

The following persons will be in attendance: Council President, Jerry Holland; Council Secretary/Treasurer, Hugh Fish; Personnel, Budget and Finance Committee Chairman, William Basford; Commissioner, Linda Myers; Ms. Rea Fleckenstein; Councilwoman, Patricia Webb; Councilwoman, Mia Jones; Mr. Brian Teeple; Mr. Michael K. Grogan.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Personnel, Budget, and Finance Policy Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 4, 2004, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

---

The **Northeast Florida Regional Council**, Planning and Growth Management Policy Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 4, 2004, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

---

The **Northeast Florida Regional Council**, Transportation and Economic Development Policy Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 4, 2004, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending transportation and economic development issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council** announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 4, 2004, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Peggy Conrad, (904)279-0880, Extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Ad Hoc Committee on Policies, Priorities and Procedures announces the following public meeting to which all persons are invited:

DATE AND TIME: Wednesday, March 17, 2004, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is established to examine how the Council can transform and conduct business to help meet new challenges.

A copy of the Ad Hoc Committee Charge agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

**WATER MANAGEMENT DISTRICTS**

The Southwest Florida Water Management District (SWFWMD) announces the following public meetings to which all interested persons are invited.

ALTERNATIVE WATER SUPPLIES GRANTS ADVISORY COMMITTEE MEETING

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

PLACE: SWFWMD, Tampa Service Office, 3601 U.S. Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and rank alternative sources FY2005 project proposals. 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 **South Florida Water Management District** announces a private closed door attorney-client session:

DATE AND TIME: Wednesday, March 10, 2004, 9:00 a.m. – completed

PLACE: Parrot Jungle, 1111 Parrot Jungle Trail, Miami, Florida 33131 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8)2001) to discuss strategy related to litigation expenditures in Harry Pepper & Associates, Inc., and Harry Pepper & Associates Inc. for the use and benefit of Atlantic Environmental, Inc. v. South Florida Water Management District and Kimley-Horn and Associates, Inc., Circuit Court, 15th Judicial Circuit Court, Palm Beach County, Case No. CL00-4882AO. The subject matter shall be confined to the pending litigation.

ATTENDEES: I. Bague, P. Brooks-Thomas, M. Collins, H. English, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, T. Williams; Executive Director H. Dean; District attorneys S. Wood, S. Glazier, R. Panse, K. Jacques-Adams and S. Echemendia.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact: Paula Moree, Deputy District Clerk, Office of District Clerk, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406, (561)682-6447.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, March 2, 2004, 9:30 a.m. – completed

PLACE: South Florida Water Management District, 3301 Gun Club Rd, West Palm Beach, FL 33406, Governing Board Chambers. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Land Resources Committee meeting to discuss regulation, real estate acquisition and land management issues.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Garrett Wallace, District Clerk, Office of District Clerk, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6371.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Thursday, February 26, 2004, 8:00 a.m. – 5:00 p.m.

PLACE: The South Florida Water Management Headquarters, B-1 Building, Storch Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: First Annual Public Meeting to Discuss Implementation Progress of the Long-Term Plan for Achieving Water Quality Goals.

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: Tracey Piccone, Water Resources, District Headquarters, 3301 Gun Club Road, Mail Stop Code B-2, 4110, West Palm Beach, FL 33406, (561)682-6495.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: February 27, 2004, 9:00 a.m.

PLACE: USDA-ARS Research Facility, Rock Road, Ft. Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Issues Workshop Meeting on Upper East Coast Regional Water Supply Plan Update.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Paula Moree, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115 West Palm Beach, FL 33406, (561)682-6447.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: March 1, 2004, 10:00 a.m.

PLACE: SFWMD Headquarters, 3301 Gun Club Road, B1 Auditorium, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Issues; Workshop Meeting on Lake Okeechobee

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Paula Moree, (561)682-6447, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115 West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, March 2, 2004, 10:00 a.m. – 3:00 p.m.

PLACE: The South Florida Water Management Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Everglades Technical Oversight Committee (TOC) Meeting.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/org/ema/toc/draftagenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 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: Dr. Garth Redfield, Environmental Monitoring and Assessment Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4610, West Palm Beach, FL 33406, (561)682-6611.

---

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIME: March 4, 2004; April 8, 2004; May 6, 2004; June 3, 2004; July 8, 2004; September 2, 2004; October 7, 2004; November 4, 2004; December 2, 2004, 9:00 a.m. (Call Prior to Meeting Date to Confirm That Meeting Will Be Held on that date (561)682-6447)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting (WRAC).

PLACE: South Florida Water Management, B1 Auditorium 3301 Gun Club Road, West Palm Beach, FL 33406

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/gover/wrac/mtgdate.html>) or (2) by writing: South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Paula Moree, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115 West Palm Beach, FL 33406, (561)682-6447.

---

#### REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following meeting and workshop to which the public is invited.

DATE AND TIME: Wednesday, March 3, 2004, 9:00 a.m.

PLACE: Sarasota County Administration Center, 1660 Ringling Boulevard, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority. Immediately following will be a workshop to discuss the Authority's mission, goals and priorities.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

---

#### DEPARTMENT OF ELDER AFFAIRS

The Florida State **Long-Term Care Ombudsman Program** announces a conference call of the Program's Legislative Committee to which all interested persons are invited to participate.

DATE AND TIME: Tuesday, February 24, 2004, 10:00 a.m. – 12:00 Noon (Call me number is (850)410-0968, Suncom 210-0968)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long Term Care Ombudsman Program.

You may contact the office of the State's Long Term Care Ombudsman, (850)414-2323, for more information.

---

#### DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that the **Digital Divide Council** will hold a one-day meeting to which all persons are invited.

DATE AND TIME: Friday, March 5, 2004, 9:00 a.m. – 11:00 a.m.

PLACE: Room, 110, Senate Office Building, 400 South Monroe Street, Tallahassee, Florida 32399 (Conference call capability will be available. The dial up number (850)487-8587, SunCom 277-8587)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary purpose of the meeting will be to address any changes in the Digital Divide Council members and chair and hear briefings on the annual report, research on Florida's digital divide data, and an existing equipment refurbishment program.

Any additional information as to this meeting will be provided on the Digital Divide website: <http://www.digitaldividecouncil.com> or contact: Meg Brown, State Technology Office, Building 4030, Esplanade Way, Suite 125 I, Tallahassee, Florida 32399, (850)488-1849 or (850)410-4777.

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 Council at least 48 hours before the meeting by contacting Meg Brown at the above stated number.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIME: February 24, 2004, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

---

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

DATE AND TIME: March 17, 2004, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement.

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL, TELEPHONE NUMBER TO CALL: (850)921-6433, Suncom 291-6433

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Department of Business and Professional Regulation, Board of Pilot Commissioners, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited to participate.

DATE AND TIME: March 22, 2004, 10:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL, (850)488-5776, Suncom 278-5776

Any person deciding to appeal a decision made with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact: Department of Business and Professional Regulation, Board of Pilot Commissioners, (850)922-5012, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The Florida **Board of Veterinary Medicine** announces the following meeting to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: March 5, 2004, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which, are closed to the public. Agenda available on request.

ACCESS PHONE: (850)413-9245, Suncom 293-9245, Toll Free 1(877)651-3473

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Veterinary Medicine, 1940 N. Monroe St. Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-7154, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

---

The **Board of Accountancy** announces the following public meeting to which all person are invited:

Budget Task Force Meeting

DATE AND TIME: Monday, March 1, 2004, 10:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss budget issues. This is a public meeting.

A copy of any material may be obtained by writing: John W. Johnson, Division Director, Division of Certified Public Accounting, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607.

Note: Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting John W. Johnson at 352-333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The **Board of Accountancy** announces the following public meetings to which all person are invited:

DATES AND TIMES: Thursday, March 18, 2004, 9:00 a.m. – Probable Cause Panel; Friday, March 19, 2004, 9:00 a.m. – Meeting of the Board

PLACE: Hilton Tampa Airport, 2225 Lois Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The probable cause panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public, however, there may be cases where probable cause was previously found which are to be reconsidered. The Board will meet to consider enforcement proceedings including consideration of investigating officer's reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public and a copy of the Board agenda may be obtained by writing: John W. Johnson, Division Director, Division of Certified Public Accounting, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607.

Note: Portions of the Probable Cause Panel meeting may be closed to the public. If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/

meeting by contacting: John W. Johnson, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a meeting to which all persons are invited.

DATE AND TIME: Monday, March 1, 2004, 9:30 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Appraisal Board** (FREAB) announces a meeting to which all persons are invited.

DATE AND TIME: March 2, 2004, 8:30 a.m.

PLACE: Department of Business and Professional Regulation, Division of Real Estate; Room 901, Ninth Floor, North Tower; 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions and general subject matter.

If a person decides to appeal a decision made by the Board, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Ashley Dashnaw, Regulatory Specialist III, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.



The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a meeting to which all persons are invited.

DATE AND TIME: Monday, March 22, 2004, 9:30 a.m., or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **State Boxing Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: Friday, March 5, 2004, 10:00 a.m.

PLACE: 701 Brickell Avenue, 19th Floor, Miami, FL 33131, (305)789-2722 (Access to the meeting may be obtained by attending in person at the remote location or by calling, at least forty-eight (48) hours prior to the meeting, (850)488-8500 or Suncom 278-8500)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Commission.

A copy of the agenda may be obtained by writing: Florida State Boxing Commission, ATTN: Jason Penley, Assistant Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399-1016.

Any person deciding to appeal a decision made by the Commission with respect to any matter considered at this meeting will need to ensure that a verbatim record of the proceeding is made. Such record must include the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodation at this meeting because of a disability or physical impairment should contact Kelly Harris, Administrative Assistant, (850)488-8500, at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 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 HEALTH

The **Board of Acupuncture** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Friday, March 12, 2004, 8:30 a.m. or soon thereafter

PLACE: Renaissance, 5445 Forbes Place, Orlando, Florida 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Acupuncture, (850)245-4161, at least five (5) 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).

A copy of the agenda may be obtained by writing: Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this 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 to be based.

The Florida **Board of Medicine** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, March 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**, Rules/Legislative Committee Meeting announces a telephone conference call to be held via meet me number.

DATES AND TIME: Wednesdays, March 3, 10, 17, 24, and 31, 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 **Board of Nursing**, North Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: March 8, 2004, 5:30 p.m.

PLACE: Department of Health, Tallahassee, FL, Meet Me Number (850)921-6433

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4125, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 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: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Physical Therapy Practice**, hereby gives notice that a rules workshop will be held for discussion of Rules 64B17-5.001 and 64B17-9.001 at the time, date and place listed below:

DATE AND TIME: March 5, 2004, 11:00 a.m.

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, Florida 32822

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject areas to be addressed are Requirements for Reactivation of an Inactive License and Continuing Education. The preliminary text of the proposed rule developments were published in Vol. 30, No. 3, January 16, 2004, issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE RULES WORKSHOP IS: Kaye Howerton, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact the Board's Executive Director 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 which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Florida Substance Abuse and Mental Health Corporation**, created by Ch. 2003-279, Laws of Florida, announces a meeting to which all persons are invited.

DATES AND TIMES: Thursday, March 11, 2004, 10:00 a.m. – 4:00 p.m.; Friday, March 12, 2004, 9:00 a.m. – 4:00 p.m.

PLACE: Crowne Plaza Orlando Airport, 5555 Hazeltine National Drive, Orlando Florida 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be for the purpose of selecting staff for the Corporation and drafting a preliminary work plan for the Corporation.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this meeting should contact Kathy Goltry seven days prior to the meeting at Florida Department of Children and Families, Mental Health Program Office, Building 6, Room 202, 1317 Winewood Blvd., Tallahassee, FL 32399-0700, (850)413-0926.

The **Florida Substance Abuse and Mental Health Corporation**, created by Ch. 2003-279 Laws of Florida, announces a conference call to which all persons are invited.

DATE AND TIME: Friday, February 27, 2004, 2:00 p.m. – 5:00 p.m.

PLACE: 1317 Winewood Boulevard, Building 6, Conference Room A, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will be for the purpose of reviewing applications and selecting candidates to be interviewed for the position of Executive Director of the Corporation.

In accordance with the Americans with Disabilities Act, persons needing an accommodation to participate in this conference call should contact Kathy Goltry, three days prior to the call, Florida Department of Children and Family Services, Mental Health Program Office, Building 6, Room 202, 1317 Winewood Blvd., Tallahassee, FL 32399-0700, (850)413-0926.

---

#### **FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** has scheduled a public meeting of members of the board to discuss 2004 legislative and budget issues, to which all interested persons are invited:

DATE AND TIME: March 3, 2004, 8:30 a.m. – 5:00 p.m.

PLACE: Tallahassee, Florida (at a place to be announced in the February 27, 2004 issue)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting of the Fish and Wildlife Conservation Commission is to discuss 2004 legislative and budget issues.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

---

#### **DEPARTMENT OF FINANCIAL SERVICES**

The **Enterprise Resource Planning Integration Task Force** (ERPI TF), of the Florida Financial Management Information System (FFMIS) Coordinating Council, announce the following public meeting to which all persons are invited.

Task Force Meeting

DATE AND TIME: Thursday, March 4, 2004, 11:00 a.m.

PLACE: CFO Conference Room, PL 12, Capitol Building, Tallahassee, Florida

Please Note: The above date, time and place of the meeting is tentative. It may be necessary to reschedule this meeting and additional interim meetings of the Task Force may be required. GENERAL SUBJECT MATTER TO BE CONSIDERED: The status of ERPI Task Force initiatives.

Information regarding scheduled times and dates can be sent to: Don Northam, Staff Director, ERPITF, Department of Financial Services, 200 E. Gaines Street, Tallahassee, FL 32399-0352, (850)413-2822, Fax (850)488-7265, e-mail: northamd@dfs.state.fl.us.

---

The **Office of Insurance Regulation** announces a public hearing to which all persons are invited.

DATE AND TIME: Friday, March 5, 2004, 1:00 p.m. – 4:00 p.m.

PLACE: Signature Grand, 6900 State Road 84, Davie, Florida 33317, (954)424-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider a request by Conseco Senior Health Insurance Company for relief, pursuant to Section 627.9407, Florida Statutes and Rule 690-157.005, Florida Administrative Code (former Rule 4-157.005, F.A.C.), regarding its Home Health Care policies issued in Florida.

A copy of the agenda may be obtained by writing: Office of Insurance Regulation, attention Thomas Streukens, Deputy Director, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399.

---

#### **COMMISSION ON MARRIAGE AND FAMILY SUPPORT**

The **Commission on Marriage and Family Support Initiatives** announces a meeting of its Program Committee via conference call to which all persons are invited to attend.

DATE AND TIME: Monday, February 23, 2004, 11:00 a.m. – 1:00 p.m.

PLACE: Ounce of Prevention Fund of Florida, 111 North Gadsden Street, Suite 200, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Recognition program, 2) Coordination, 3) Promising practices, 4) Other business at the call of the chair.

For copy of the agenda, please e-mail or call the commission office, (850)488-4952, Ext. 135 or acarponenter@ounce.org. All persons planning to attend the meeting and those with disabilities who require assistance to participate are requested to notify the commission office at least five days in advance.

**CLERK OF COURT OPERATIONS CONFERENCE**

The Florida **Clerk of Court Operations Conference** announces a public phone conference meeting to which all persons are invited to call.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of Draft Clerk Budget Forms and Instructions.

Those wishing to seek more information can contact: John Dew or Judy Zorn, (850)386-2223.

**FLORIDA INDEPENDENT LIVING COUNCIL**

The **Florida Independent Living Council** announces the following meetings:

MEETING: Underwriting Task Force Meeting

DATE AND TIME: Friday, February 27, 2004, 10:00 a.m. – 12:00 Noon (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, March 3, 2004, 2:00 p.m. (EST) PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Advocacy Committee Meeting

DATE AND TIME: Thursday, March 4, 2004, 2:00 p.m. (EST)

PLACE: FILC, Inc., Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Executive Committee Meeting

DATE AND TIME: Thursday, March 4, 2004, 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Steering Committee for the Grassroots Forum/ Outreach Committee Meeting

DATE AND TIME: Tuesday, March 9, 2004, 1:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Finance Committee Meeting

DATE AND TIME: Wednesday, March 10, 2004, 10:30 a.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Advocacy Committee Meeting

DATE AND TIME: Thursday, March 11, 2004, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Monday, March 15, 2004, 3:00 p.m. (EST)

PLACE: Wingate Inn, 2516 Lake Shore Drive, W., Tallahassee, Florida 32303

MEETING: Legislative Day

DATE AND TIME: Tuesday, March 16, 2004, 8:00 a.m. – 4:00 p.m.

PLACE: The Florida State Capitol, 3rd Floor Rotunda, Tallahassee, Florida 32303-6271

MEETING: Full Council Meeting

DATE AND TIME: Wednesday, March 17, 2004, 9:00 a.m. – 5:00 p.m. (EST)

PLACE: Wingate Inn, 2516 Lake Shore Drive, W., Tallahassee, Florida 32303

MEETING: Point Persons for the Grassroots Forum

DATE AND TIME: Wednesday, March 24, 2004, 10:00 a.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Funding Formula Task Force Meeting

DATE AND TIME: Thursday, March 25, 2004, 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Planning Committee Meeting

DATE AND TIME: Wednesday, April 7, 2004, 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Executive Committee Meeting

DATE AND TIME: Friday, April 9, 2004, 1:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Steering Committee for the Grassroots Forum/ Outreach Committee Meeting

DATE AND TIME: Tuesday, April 13, 2004, 1:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Finance Committee Meeting

DATE AND TIME: Wednesday, April 14, 2004, 10:30 a.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Advocacy Committee Meeting

DATE AND TIME: Thursday, April 15, 2004 2:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Funding Formula Task Force Meeting

DATE AND TIME: Thursday, April 15, 2004 3:00 p.m. (EST)

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Point Persons for the Grassroots Forum  
 DATE AND TIME: Wednesday, April 21, 2004, 10:00 a.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: Development Committee Meeting  
 DATE AND TIME: Tuesday, April 27, 2004, 2:00 p.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: Planning Committee Meeting  
 DATE AND TIME: Wednesday, May 5, 2004, 2:00 p.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: Steering Committee for the Grassroots Forum/ Outreach Committee Meeting  
 DATE AND TIME: Tuesday, May 11, 2004 1:00 p.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: Finance Committee Meeting  
 DATE AND TIME: Wednesday, May 12, 2004 10:30 a.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: Executive Committee Meeting  
 DATE AND TIME: Friday, May 14, 2004, 1:00 p.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: Point Persons for the Grassroots Forum  
 DATE AND TIME: Wednesday, May 19, 2004, 10:00 a.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: Advocacy Committee Meeting  
 DATE AND TIME: Thursday, May 20, 2004, 2:00 p.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 MEETING: Development Committee Meeting  
 DATE AND TIME: Tuesday, May 25, 2004, 2:00 p.m. (EST)  
 PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.  
 A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or toll free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Beth Schultz at the council address.

Notices of meetings and hearing must advise that a record is required to appeal. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of the meeting or hearing is required, of such board, commission or agency, conspicuously on such notice, the advice that, if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, §286.0105)

**FLORIDA SURPLUS LINES SERVICE OFFICE**

The **Florida Surplus Lines Service Office**, Board of Governors' announces a public meeting to which all interested parties are invited:

BOARD OF GOVERNORS' QUARTERLY MEETING

DATE AND TIME: Monday, April 19, 2004, 1:00 p.m.

PLACE: Florida Surplus Lines Service Office, 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Matters.

A copy of the agenda may be obtained by sending a faxed request to: Georgie Barrett, (850)513-9624.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Georgie a week prior to the meeting at (850)224-7676, Ext. 301.

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**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 the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Brian Dowd, Unit Owner, Woodlands at Church Lake, L.L.C. Docket Number 2004001897

The Petitioner request a declaratory statement as to whether a park owner may require purchasers of existing homes in a mobile home park to accept a new prospectus instead of the prospectus given to the mobile home owner who is selling the mobile home under Section 723.059(3), Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number 2004001897, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

## Section XI Notices Regarding Bids, Proposals and Purchasing

### DEPARTMENT OF EDUCATION

#### NOTICE TO CONSTRUCTION MANAGERS

The Florida State University announces that construction management services will be required for the project listed below:

Project No.: BR-242  
Project and Location: Johnston Building Dining  
Improvements  
Florida State University  
Tallahassee, Florida

This project will completely restore and renovate the East Wing of the William H. Johnston Building. The building's distinctive interior characteristic is its ornate interior wood truss/ceiling volume spaces found in both the East and West Halls. These spaces have been modified over the years to provide lower ceilings more suitable for office and administrative spaces. The restoration of these spaces into full height dining rooms is a primary focus of this project. The project will include a new kitchen and East Hall of the Johnston Building, serving students, staff and faculty. When completed, the renovated portion of the facility is expected to be approximately 21,100 sf. The project will also include related site improvements, including an accessible pedestrian interface with adjacent buildings, outdoor dining courtyard, loading docks and concealed areas for trash removal.

Additional scope, utilizing separate funding will be identified to restore the building envelope, including the roof, windows, doors and other openings, while preserving the historic nature of the facility. This scope will also include the removal of all hazardous materials contained within the areas affected.

The estimated construction budget is approximately \$5,336,365.00 with a total anticipated project budget of \$6,837,000.00. The amount of additional funding required for building envelope and hazardous materials removal has not yet been determined.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of

the project and shall publicly bid trade contracts, encouraging the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; and qualifications of the firm's personnel, staff and consultants. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard Florida State University's construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

#### Instructions:

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Florida State University "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Florida State University Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained through the website at [www.fpc.fsu.edu](http://www.fpc.fsu.edu) or by contacting:

Lynetta Mills, Facilities Design and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone, (850)644-8351 facsimile.

For further information on the project, contact: Jim Reynolds, Project Manager, at the address and phone listed above.

Submit six (6) bound copies of the required proposal data. Submittals must be received at the address listed above by 2:00 p.m., local time, on Wednesday, March 24, 2004. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS

The University of Central Florida, announces that construction management services will be required for the project listed below:

Project No.: BR-504

Project and Location: Psychology Building, University of Central Florida, Orlando, Florida 32816-3020.

The project consists of the design and construction of a new facility that contains approximately 10,000 sq. ft. of classroom space, 13,065 sq. ft. of teaching/research lab space, 750 sq. ft. of Student Academic Support space, 23,466 sq. ft. of office space, and 2,560 of other assignable areas including storage, conference rooms and workshop areas.

The construction cost will be approximately \$10,000,000.00.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Document phase (or other phase, if applicable. If so, change this reference). If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, encouraging the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability; qualification of the firm's personnel, staff and consultants. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard University of Central construction management agreement. The Selection Committee may reject all proposals and stop the selection

process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed University of Central Florida "Construction Manager Qualifications Supplement." Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Gina Seabrook, Office of Facilities Planning, University of Central Florida, 4000 Central Florida Boulevard, Orlando, FL 32816-3020, Phone: (407)823-2166, Fax (407)823-5141, email: gseabrook@mail.ucf.edu.

The project fact sheet for the Psychology Building may be found on the Facilities Planning home page. Our Internet address is: www.fp.ucf.edu.

Four (4) bound copies of the required proposal data shall be submitted to: Mr. Peter Newman, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time, March 29, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

The Florida School for the Deaf and the Blind announces its intention to negotiate, in accordance with the Consultants Competitive Negotiation Act, for the following:

PROJECT NUMBER: FSDB 20040010

PROJECT NAME: New Model Apartments

1. Ebert Norman Brady Architects
2. Akel Logan Shafer Architects / Planners
3. PQH Architects, Inc.
4. KBJ Architects, Inc.



Request for Proposals

Fiscal Agent Services

Solicitation # LEE-04/05-002FA

Competitive sealed proposals are being requested for fiscal agent services for the Lee County School Readiness Coalition. The anticipated total allocation to the Coalition from the Florida Partnership for School Readiness is \$13,569,970, based on availability of funds.

Letters of Intent to Bid are required and due March 1st, 2004. Written questions from prospective proposers must be submitted in writing via mail, e-mail or fax and will be accepted from March 1st until 5:00 p.m., EST on March 5th, 2004. Sealed proposals will be received at the address below until 4:00 p.m. on March 26, 2004.

RFP specifications may be requested by contacting:

Barbara Saunders, Executive Director  
 Lee County School Readiness Coalition, Inc.  
 12651 McGregor Blvd. Suite #4-402, Ft. Myers, FL  
 Phone: (239)267-4105 Fax: (239)267-4109  
 E-mail: bsaunders@mindspring.com

Request for Proposals

School Readiness Services Within Hardee County

Solicitation #Har-04/05

Competitive sealed proposals are being requested for School Readiness Central Agency Services within Hardee County. These services to include eligibility and provider payments; screening services; parent and child services; and provider development, support, and training. The anticipated total allocation to the Coalition from the Florida Partnership for School Readiness is \$1,253,123.00, based on availability of funds.

Letter of Intent to Bid is required. Window of opportunity for bidders inquires, clarifications, and questions is February 23, 2004 through March 4, 2004. The Coalition will respond in writing to all inquires, clarifications, and questions received by March 5, 2004. Sealed proposals will be received at the address below until 4:00 p.m. on March 26, 2004. RFP specifications may be requested in writing by contacting:

Shujwana Lamy, Executive Director  
 Hardee County School Readiness Coalition, Inc.  
 901 West Main Street, Office 120  
 Wauchula, Florida 33873  
 Telephone: (863)773-4226

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 So. Belcher Road, Largo, Florida until 2:00 p.m., local time, on March 17, 2004 for the purpose of selecting a Contractor for supplying all labor,

material, and ancillary services required for the construction of the following per the accompanying drawings and specifications:

Ceiling and Lighting Replacement – Bid #04-968-604  
 Bardmoor Elementary School  
 8900 Greenbrier Road  
 Seminole, FL 33776

Provide labor and materials to remove existing ceiling and lighting systems through out the facility, and replace with new ceiling and lighting systems per plans and specifications. This project requires bonding.

A Pre-Bid Conference will be held at the project site on February 26, 2004 at 9:30 a.m. ATTENDANCE IS MANDATORY.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Plans and specifications are available at the office of:

Purchasing Department  
 Walter Pownall Service Center  
 11111 So. Belcher Road  
 Largo, FL 33773

Bonding and insurance are required for this project. The Owner reserves the right to reject all bids.

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA	
J. HOWARD HINESLEY	LINDA S. LERNER
SUPERINTENDENT OF SCHOOLS	CHAIRMAN
AND EX-OFFICIO SECRETARY	
TO THE SCHOOL BOARD	MARK C. LINDEMANN
	DIRECTOR, PURCHASING

INVITATION TO BID

School Readiness Coalition of Highlands County announces intention to procure fiscal agent services for the fiscal year beginning July 1, 2004. Included in these services will be receiving and accounting for Coalition funds, tracking accounts payable and receivable, disbursing funds, issuing purchase orders, reporting to the Coalition, and assisting with the annual audit. The "Invitation To Bid" can be downloaded from [www.highlands.k12.fl.us/schoolreadiness.html](http://www.highlands.k12.fl.us/schoolreadiness.html), or obtained by email request to [Rafattic@highlands.k12.fl.us](mailto:Rafattic@highlands.k12.fl.us) or phone at (863)471-5532. "Sealed Replies" are due by March 26, 2004 to the Coalition office at P. O. Box 313, Sebring, Florida 33871. Certified Minority Business Enterprises and others are encouraged to participate in the solicitation process.

ADVERTISEMENT FOR BIDS

Invitation To Bid (ITB)

For a

Energy Management Control Systems (EMCS) Supplier and Installer licensed to provide such work within Duval County  
Sealed bids will be received by Duval County Public Schools, Division of Facilities Services, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, 5th Floor, Room 514, Jacksonville, Florida.

BIDS ARE DUE ON OR BEFORE MARCH 9, 2004

AND WILL BE ACCEPTED UNTIL 2:00 P.M.

OFFICIAL PROJECT TITLE: Energy Management Control System District Wide at Andrew Robinson Elementary School No. 262 and Source of Supply Systems

DCPS PROJECT NO.: M-86240

SCOPE OF WORK: Replacement of the existing EMCS at Andrew Robinson Elementary School No. 262 and Selection of Sources of EMCS on Future Projects Budgeted Not to Exceed \$200,000.00

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on February 24, 2004, 9:30 a.m., at Andrew Robinson Elementary School No. 262, 101 W. 12th St., Jacksonville, Florida 32206. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

All bidders and subcontractors shall be licensed and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$50.00 at the office of:

Sunbelt Engineers, Inc.  
5711 Richard Street  
Jacksonville, Florida 32216

DCSB Point of Contact: John McKean, (904)858-6310

Contract documents for bidding may be examined at:

MBE Participation Goal: 10% Overall

The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids for all construction projects exceeding \$200,000 and electrical projects exceeding \$50,000. Effective May 31, 2003, all Contractors submitting bids must be prequalified with Duval County Public Schools. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools.

Prequalification forms and information may be obtained by contacting: Richard Beaudoin or Ronald A. Fagan, 1701 Prudential Dr., Jacksonville, FL 32207, (904)390-2358 or (904)390-2922, Fax (904)390-2265, Email: beaudoinr@educationcentral.org or faganr@educationcentral.org.

The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

**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."

**EXECUTIVE OFFICE OF THE GOVERNOR**

Volunteer Florida is pleased to announce a Request for Proposals for 2004-2005 to establish New AmeriCorps Formula programs.

Eligible applicants are agencies or organizations that have not hosted an AmeriCorps\*State Program in the past two years.

Proposals must be submitted by 5:00 p.m. (EST), Wednesday, March 31, 2004.

Detailed eligibility criteria, guidelines, application forms and technical assistance information will be available at [www.volunteerflorida.org](http://www.volunteerflorida.org) no later than February 27, 2004.

**METROPOLITAN PLANNING ORGANIZATIONS**

Request for Proposals

Community Transportation Coordinator (CTC)

Transportation Disadvantaged Program

Transit Operator

Bay Town Trolley

The Panama City Metropolitan Planning Organization, and its advisor, the Bay County Transportation Disadvantaged Coordinating Board, will accept proposals from qualified agencies or firms to coordinate transportation services for the transportation disadvantaged in Bay County. The selected contractor will be recommended as the designated Community Transportation Coordinator to the Florida Commission for the Transportation Disadvantaged (CTD). If approved by the CTD, the selected contractor will coordinate the administration and operation of the Transportation Disadvantaged system, as authorized by Chapter 427, Florida Statutes, and more fully described in Chapter 41-2, Florida Administrative Code. The MPO is also soliciting proposals for management of transit services and operations for a rapidly growing ten vehicle, six route system that provided 115,000 trips in 2003. Proposers must attend a mandatory pre-proposal conference on March 2, 2004 at 10:00 a.m. CST at the Port Panama City conference room. Proposal deadline is March 26, 2004, 3:00 p.m. (CST).

Interested parties should contact Julia Pearsall, West Florida Regional Planning Council, 1(800)226-8914, Extension 231 or by email: pearsallj@wfrpc.dst.fl.us, for more information.

Request for Proposals  
Community Transportation Coordinator (CTC)  
Transportation Disadvantaged Program

The Pensacola Florida Metropolitan Planning Organization, and its advisors, the Santa Rosa and Escambia County Transportation Disadvantaged Coordinating Boards, will accept proposals from qualified agencies or firms to coordinate transportation services for the transportation disadvantaged in each of these counties. These are two separate service areas. The selected contractor(s) will be recommended as the designated Community Transportation Coordinator(s) to the Florida Commission for the Transportation Disadvantaged (CTD). If approved by the CTD, the selected contractor(s) will coordinate the administration and operation of the Transportation Disadvantaged systems, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2, Florida Administrative Code. Proposers must attend a mandatory pre-proposal conference on March 1, 2004 at 10:00 a.m. CST at West Florida Regional Planning Council. Proposal deadline is April 2 at 3:00 p.m. CST. Interested parties should contact Julia Pearsall at West Florida Regional Planning Council at 1-800-226-8914, extension 231 or by email at pearsallj@wfrpc.dst.fl.us for more information.

**WATER MANAGEMENT DISTRICTS**

Request for Qualifications 03/04-028 LA  
Approved Appraiser List

To ensure a consistent level of quality in appraisal reports and reduce administrative costs, the Suwannee River Water Management District maintains a list of timber appraisers who are prequalified for District assignments.

Appraisers interested in being considered for District timber appraisal work should complete an Appraiser Respondent Form and mail it to the following address prior to 4:00 p.m. March 19, 2004:

Gwen Lord, Administrative Assistant  
Suwannee River Water Management District  
9225 CR 49  
Live Oak, FL 32060

The Appraiser Respondent Form is available on the District's website (<http://www.srwmd.state.fl.us/services/bids+and+contracts.htm>). A resume containing qualifications, experience level, client list (with phone numbers and addresses) and other data about your qualifications may be submitted along with the respondent form.

The completed Appraiser Respondent Form and additional information must be received by the District prior to 4:00 p.m. March 19, 2004. Any responses received after that time will not be eligible for consideration.

Please contact Gwen Lord, Administrative Assistant, or Chuck Allen, Real Estate Specialist, (386)362-1001 or 1(800)226-1066, with any questions regarding this Request for Qualifications.

**EXPRESSWAY AUTHORITIES**

NOTICE OF REQUEST FOR STATEMENT  
OF QUALIFICATIONS (RSOQ) FOR  
DESIGN-BUILD SERVICES  
MDX WORK PROGRAM NOS.  
10007.030/10009.030/10010.030

The Miami-Dade Expressway Authority (MDX) is seeking the services of a qualified design consultant-contractor team (the "Firm") to provide Design-Build services in connection with the design, integration and construction of MDX Project Nos. 10007, 10009 and 10010 (the "Project") in the MDX Five-Year Work Program.

FEDERAL AND STATE DEBARMENT: By signing and submitting a Statement of Qualifications (SOQ), the Firm certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

SYSTEM: The Miami-Dade Expressway Authority System is comprised of State Road (SR) 112, SR 836, SR 874, SR 878 and SR 924.

DESCRIPTION OF WORK: The Project requires Design-Build services for the implementation of an Advanced Traffic Management System (ATMS) to actively manage traffic on:

- SR 112 (Airport Expressway) from Le Jeune Road to Interstate 95 (I-95),
- SR 924 (Gratigny Parkway) from SR 826 (Palmetto Expressway) to N. W. 27th Avenue, and
- SR 878 (Snapper Creek Expressway) from SR 874 (Don Shula Expressway) to U.S. 1

The selected Firm shall provide Design-Build services for the Project. The Firm shall design, furnish, install, integrate, test and document a fully operational ATMS enabling: incident management, network surveillance, and information dissemination to be operational at, and integrated with the MDX Transportation Management Center (TMC) at the MDX headquarters facility. The project's overall duration is estimated to be approximately eighteen (18) months, beginning in September 2004.

The selected Firm shall also be responsible for the quality control of all its design and construction related activities for the Project. The selected Firm shall make available the necessary personnel, facilities, supplies, materials and resources to perform the required services. The Firm shall also coordinate with other agencies as necessary for the completion of the Project.

MDX will provide the shortlisted Firms with conceptual layouts as well as relevant design specifications, which the Firm can use as a guideline for the final design and construction of the Project. The selected Firm will need to verify the information provided by MDX.

**SELECTION PROCEDURE:** A maximum of three (3) firms will be shortlisted using the Evaluation Criteria shown herein. The shortlisted Firms will be requested to provide written Technical Proposals and Price Proposals based on the information and criteria requirements contained in the Request for Proposals ("RFP") to be issued by MDX. Oral interviews with the shortlisted Firms may be required. The award of the Project will be based on an adjusted score based on both the price and technical proposal score. **FIRMS THAT DO NOT PROVIDE THE REQUIRED INFORMATION AND/OR DOCUMENTATION TO ADDRESS THE PREREQUISITE CRITERIA DESCRIBED BELOW SHALL NOT BE ELIGIBLE FOR SHORTLISTING EVALUATION.**

**RESPONSE PROCEDURE:** Qualified firms are encouraged to submit a SOQ package to MDX. One (1) unbound original SOQ, nine (9) bound copies (ten (10) hardcopies in total), and one (1) electronic copy in PDF format **MUST** be received by the Miami-Dade Expressway Authority, 3790 N. W. 21 Street, Miami, Florida 33142, Attn: Ms. Helen M. Cordero, MDX Procurement Officer, by Monday, March 22, 2004 by 12:00 Noon, Eastern Time (the "Deadline Date"). SOQs submitted past the Deadline Date and time will be deemed non-responsive.

After reviewing the documentation submitted, evaluating the SOQs using the Evaluation Criteria shown herein, and ranking the Firms, MDX will notify all Firms in writing if they have been shortlisted, and will distribute one (1) copy of the RFP package to each shortlisted Firm.

The deadline to submit questions in reference to this Request for Statements of Qualifications (RSOQ) is Monday, March 1, 2004 by 5:00 p.m. Questions should be submitted in compliance with the Communication Provision below. The responses to questions received will be posted on MDX's website ([www.mdx-way.com](http://www.mdx-way.com)) as an extension of this advertisement, or may be obtained by contacting MDX's Procurement Officer pursuant to the Communication Provision below. It is the Firm's responsibility to check the website or with MDX's Procurement Officer for these responses.

**RESPONSIVENESS OF SOQ'S AND CONDITIONS CAUSING DISQUALIFICATIONS OF FIRMS:** A responsive SOQ is one that conforms, in all material respects, to the requirements and instructions of the RSOQ.

SOQs will be rejected if found to be irregular, conditional or not in conformance with the requirements and instructions contained herein.

An SOQ will be found to be irregular or non-responsive for reasons including, but not limited to, violation of the Cone of Silence (as defined below), failure to strictly comply with and satisfactorily address the Prerequisite Criteria, failure to submit the information needed to evaluate the SOQ based on the Evaluation Criteria, incomplete SOQs, failure to provide or complete required forms, improper signatures, submittal of more than one SOQ by the same Firm, evidence of collusion among Firms, evidence that a Firm has a financial interest in another Firm submitting an SOQ for this engagement or failure to submit an SOQ by the deadline date and time as shown above.

SOQs will be rejected if more than one SOQ is received from an individual, firm, partnership, or corporation, or combination thereof (furnished as the prime proposer), under the same or different names. Such duplicate interest will cause the rejection of all SOQs in which such Firm has participated. A Firm or any of the entities comprising the Firm shall not appear as a Proposer in any other SOQ for the Project.

MDX, at its sole and absolute discretion, reserves the right to reject any and all SOQ's or part of any and all SOQs, re-advertise the RSOQ, postpone or cancel, at any time, this procurement process for the Project, waive irregularities in the SOQs or to withdraw the RSOQ, if it is in the best interest of MDX. All expenses involved with the preparation and submission of an SOQ to MDX, or any work performed in connection therewith, shall be solely the Firm's responsibility.

**SUBMITTAL OF STATEMENT OF QUALIFICATIONS:** The SOQ shall be in writing, submitted on the letterhead of the Firm. The SOQ is limited to a maximum of twenty (20) pages. Resumes, MDX forms, and certificates/licenses are not included in the 20-page limitation. Resumes are limited to one (1) page per individual. The SOQ **MUST** include at a minimum, the documentation and/or information required in the Prerequisite Criteria, Required Information and Evaluation Criteria.

**PREREQUISITE CRITERIA:** SOQs will not be considered from Firms that do not satisfy, at a minimum, the following Prerequisite Criteria. All requested documentation and/or information must be provided in the SOQ to confirm that the Firm has satisfied all of the Prerequisite Criteria.

1. The Firm shall have a minimum of five (5) years specific experience in providing Design/Build services as described above.
  2. As required by Section 287.133, Florida Statute, a firm may not submit a proposal for the Project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. Firms must address this criterion by completing and submitting with the SOQ a Sworn Statement on Public Entity Crimes Form (a copy of this form may be obtained from MDX's website). Proposed sub-consultants shall also complete and submit this form in order to be considered.
  3. The Firm must have a full service operational office located in Miami-Dade County at the time the Notice to Proceed is issued. Information must also be provided as to the location of the Firm's office(s). If a Firm has offices outside Miami-Dade County, the Firm shall make an affirmative statement confirming that, if selected, it will establish such an office in Miami-Dade County.
  4. The Firm must submit documentation acceptable to MDX that the Firm is prequalified under Rule 14-22, Florida Administrative Code in the following classifications of work: Intelligent Transportation Systems (ITS); Grading; Flexible Paving; Hot Plant Bituminous Paving; Electrical Work; Fencing; Grassing, Seeding and Sodding; Pavement Markings; Roadway Signing; and, Maintenance of Traffic. If the Firm shall subcontract for some of the classifications of work, the Firm shall identify those classifications of work that will be subcontracted and provide MDX with an affirmative statement that the Firm shall require all subcontractors to be pre-qualified, as required herein, for the applicable classifications of work.
  5. The Firm must submit documentation acceptable to MDX (including FDOT "L. Odom" letters) that the Firm is pre-qualified under Rule 14-75 of the Florida Administrative Code (F.A.C.) in the following types of work: Group 3.1, Minor Highway Design; Group 6.3(I), Intelligent Transportation Systems Analysis & Design; Group 6.3(II), Intelligent Transportation Systems Implementation; Group 6.3(III), Intelligent Transportation Traffic Engineering Systems Communication; Group 6.3(IV), Intelligent Transportation Systems Software Development; Group 7.1, Signing, Pavement Marking, and Channelization; Group 8.2, Design, Right of Way, and Construction Surveying; and, Group 10.1, Roadway Construction Engineering Inspection. Any Firm not identifying pre-qualification with all of the above identified groups shall be deemed non-responsive to the requirements stated in the RSOQ.
  6. Certificates of Good Standing evidencing that the Firm is qualified to do business in the State of Florida (this applies to both the contractor and design consultant entities comprising the Firm). Documentation provided to comply with this criterion must be current.
  7. Execution of a Commitment Letter (a copy of this form may be obtained from MDX's website) stating that the Firm shall satisfy the 20% Small Business Participation Goal for this procurement, in compliance with MDX's Small Business Participation Policy (a copy of this Policy may be obtained from MDX's website). Please be aware that MDX will be awarding Small Business Participation Bonus Points during the RFP phase of this procurement. Further documentation addressing this requirement shall be required of the shortlisted Firms, pursuant to requirements in the RFP.
  8. Execution of the Lobbyist Disclosure Affidavit (a copy of this form may be obtained from MDX's website) providing information regarding any Lobbyists representing the Proposer for this procurement or containing an affirmative statement that no Lobbyists have been retained.
- The personnel and sub-consultants/sub-contractors proposed by the Firm for the Project are considered to be committed to the Project and shall be available to the Project on the anticipated date of Notice to Proceed.
- REQUIRED INFORMATION:** The SOQ shall contain the following Required Information:
1. Project Name and number.
  2. Firm's name and address.
  3. Name of contact person, phone number, fax number and Internet e-mail address (one contact person per Firm).
  4. An executed Vendor's Bill of Rights and Responsibilities (a copy of this form may be obtained from MDX's website).
- EVALUATION CRITERIA:** The SOQ will be reviewed, evaluated and ranked by the MDX Technical Evaluation Committee using the following Evaluation Criteria:
- Qualifications and experience of the Design-Build Firm and sub-consultants/sub-contractors as it relates to providing the following required services. This criterion will be specifically evaluated based on the depth and breadth of the Firm's and sub-consultants'/sub-contractors' experience as a whole in the performance of Design-Build services of the following, Advanced Traffic Management System (ATMS); Fiber-optic Communications System; Non-intrusive / Non-invasive Vehicle Detection; CCTV for Highway Traffic Surveillance; Highway Advisory Radio (HAR); Integration of an ATMS with a Regional Transportation Management Center (RTMC), or equivalent; Development and Implementation of Formal Test Plans for Fiber-optic Communications and Control Systems. Total of 60 %.

- Proposed key personnel of the Firm and sub-consultants/sub-contractors, their qualifications and their roles (including resumes) as they relate specifically to the services requested in this RSOQ. Total of 25%.
- A detailed summary of the Firm's and their sub-consultants'/sub-contractors' current and proposed workload as well as all available resources as they relate to existing contracts with other agencies. The Firm should specifically address this criterion with respect to the proposed key personnel proposed for this project and detail the total number of hours available, duration of those existing contracts and total of man-hours committed to those projects. Total of 10%.
- A list of similar engagements, by the Firm and sub-consultants/sub-contractors; in particular, representation of governmental entities, completed NOT EARLIER THAN January 1, 1998, with references and phone numbers, including a general description of the role of the Firm and sub-consultants/sub-contractors, and the services provided. Total of 5%.

COMMUNICATIONS: COMMUNICATIONS BETWEEN ANY PROPOSER OR ITS EMPLOYEES, AGENTS OR REPRESENTATIVES AND ANY BOARD MEMBER OF MDX, ITS MEMBERS, EMPLOYEES, AGENTS, COUNSEL OR REPRESENTATIVES, INCLUDING ITS CONSULTANTS, AND ITS EVALUATION COMMITTEE MEMBERS, ARE STRICTLY PROHIBITED FROM THE DATE THE PROPOSERS ARE SHORTLISTED FOR THE PROJECT THROUGH THE DATE OF EXECUTION OF THE CONTRACT. The only exceptions to this are: (1) written requests regarding information or clarification made to Helen Cordero, MDX Procurement Officer; (2) meetings called or requested by MDX and attended by Proposers for the purpose of discussing a solicitation, evaluation or selection process including, but not limited to, the communications at the Pre-Proposal Conference, Oral Interviews, site visits to MDX's or Proposers' facilities, as applicable; (3) written and oral Contract negotiations with the Executive Director or his designated representative; or (4) communications by Proposers not selected under this procurement. Exception No. 4 above will only apply seventy-two (72) hours after approval of the Final Shortlist by the MDX Operations Committee, assuming no protest is filed; (5) the addressing of the MDX Board or any of its committees at public meetings; and (6) communications permitted by the MDX Procurement Policy, as amended. ANY VIOLATION OF THE REQUIREMENTS SET FORTH IN THIS SECTION SHALL CONSTITUTE GROUNDS FOR IMMEDIATE AND PERMANENT DISQUALIFICATION OF THE OFFENDING PROPOSER.

PROTEST RIGHTS:

1. To be considered, a protest must be in writing and filed with the Secretary of the MDX Board within seventy-two (72) hours, excluding Saturdays, Sunday and legal holidays, after approval of the Final Shortlist if the protest is directed towards any part of the procurement process that has occurred as of the time of that decision.
2. It is intended that this provision be utilized to address any issues concerning the manner or process by which Firms are identified as qualified to receive the Request for Proposal for the Project. Should issues arise after the time period for filing a protest has passed pursuant to this provision, which issues are determined by MDX to be covered by this provision, the protesting party shall be deemed to have waived any right to protest same.
3. A protest bond in the amount of, \$20,000.00 will be required for any protest.
4. After the MDX Operations Committee renders its decision regarding the firms to be shortlisted, a copy of the final shortlist of firms invited to submit proposals in response to the Request for Proposals ("Final Shortlist") shall be sent to all firms who submitted a Statement of Qualifications for the Project by MDX's Chief Purchasing Officer or his designee.
5. Within five (5) calendar days from the date of filing of the protest, the protesting party shall provide MDX with the grounds in detail for its protest.
6. Upon receipt of a timely filed written protest, MDX and the protesting party shall attempt to resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest.
7. If the protest is not resolved by mutual agreement within ten (10) business days from the date of filing, MDX and the protesting party shall select a mutually agreed-upon mediator and participate in mediation within thirty, (30) calendar days after the failure to reach a mutual agreement. All costs of mediation shall be borne by the protesting party, unless otherwise agreed upon by MDX. No court proceedings regarding any protest may be filed until the parties have first participated in mediation.
8. In the event mediation is unsuccessful, the party filing a protest pursuant to this provision shall file and serve the requisite legal action within fifteen (15) calendar days of the date of mediation.
9. In the event that a party serving a protest in accordance with this provision fails to: (1) resolve the protest by mutual agreement within ten (10) business days from the date of filing of the protest; (2) work with MDX to select an agreed-upon mediator and participate in mediation within thirty (30) calendar days after the failure to reach a mutual agreement; or (3) file and serve the requisite legal proceeding within fifteen (15) calendar days after the termination of an unsuccessful mediation, the protest shall

be deemed withdrawn and have no further force and effect. Any waiver of this provision must be in writing and signed by MDX's Executive Director.

10. Failure to file a protest in accordance with the requirements set forth herein with respect to any decisions made prior to the issuance of the Final Shortlist in accordance with this provision shall constitute a waiver of any right to initiate any protest proceedings regarding those decisions.

**EQUAL EMPLOYMENT OPPORTUNITIES AND SMALL BUSINESS ENTERPRISES PROGRAM:** The Miami-Dade Expressway Authority prohibits discrimination on the basis of race, color, sex, age, national origin, religion, and disability or handicap in accordance with the Provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., the Florida Civil Rights Act of 1992, as amended, § 760.10 et seq., Fla. Stat., and other Federal and State discrimination statutes. MDX notifies all Consultants and individuals that it requires and encourages equal employment opportunities for minorities and women.

MDX strongly supports small, minority and women owned businesses having full opportunity to submit Proposals in response to this RFP and commits that Consultants will not be discriminated against on the basis of sex, race, color, national origin, religion or disability, or other protected status. The overall goal of MDX is to obtain an M/WBE participation of twenty-five percent (25%) for the aggregate of its projects. However, compliance with MDX's overall goal is not a prerequisite for the Project.

Please be aware that MDX has adopted a Small Business Participation Policy and a 20% Small Business Participation Goal shall be required for this procurement (see Prerequisite Criteria above and refer to MDX Small Business Participation Policy which may be obtained from MDX's website)

The twenty-five percent (25%) goal can be satisfied by Disadvantaged Business Enterprises that are currently certified as such with the State or Miami-Dade County. Satisfaction of the twenty percent (20%) Small Business Participation Goal can be counted toward this goal.

**MDX RESERVES THE RIGHT TO REJECT ANY OR ALL STATEMENTS OF QUALIFICATIONS RECEIVED AT ITS DISCRETION AND WITHOUT ANY RECOURSE.**

**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."

**PASCO COUNTY PUBLIC TRANSPORTATION**

**NOTICE OF REQUEST FOR PROPOSAL**

The Pasco County Purchasing Department will receive sealed proposals until 2:00 p.m., local time (our clock), on March 25, 2004, in the Pasco County Purchasing Department at 8919 Government Drive, New Port Richey, Florida. All interested qualified transportation operators, for the award of a contract to provide transportation services support in Pasco County, are invited to submit proposals; please refer to the applicable section in the Request for Proposal (RFP).

A preproposal conference will be held at Pasco County Public Transportation (PCPT), 8620 Galen Wilson Boulevard, Port Richey, Florida, on Tuesday, March 9, 2004, at 2:30 p.m. Requests for clarification or exceptions will be provided in writing to the above address by March 5, 2004. After that date no further inquiries will be accepted.

Insurance coverage and bonding are required for this project; please refer to the applicable sections in the RFP.

Complete copies of the RFP may be obtained from the Purchasing Department. The County is not responsible for expenses incurred prior to the execution of a subsequent agreement by the Board of County Commissioners. The County reserves the right to reject any or all submissions, or any part of any or all submissions.

Envelope Must Be Identified As Follows:

Name of Item Being Proposed: PROPOSAL FOR TRANSPORTATION SERVICES SUPPORT  
RFP NO: 04-5A

OPENING DATE: March 25, 2004, 2:00 p.m.

Scott Stromer, CPPO, C.P.M.

Purchasing Director

**POLK COUNTY WORKFORCE DEVELOPMENT BOARD**

**LEGAL NOTICE**

**REQUEST FOR PROPOSALS**

The Polk County Workforce Development Board, Inc. is soliciting separate proposals from qualified entities to provide: Comprehensive customer services as required under the Workforce Investment Act of 1998; the Social Security Act, Title IV; the Personal Responsibility and Work Opportunity Act of 1996 (Welfare Transition Program); and Florida's Workforce Innovation Act of 2000.

In-school youth services as required under the Workforce Investment Act of 1998;

These services include, but are not limited to, program eligibility determination, case management, job placement, and follow-up services. A proposers' conference is scheduled for Wednesday, February 25, 2004. Letters of Intent to Propose are due in the Board's administrative office before 5:00 p.m., ET on March 9, 2004. All proposals are due in the Board's

administrative office before 4:00 p.m., ET on Thursday, March 18, 2004. Copy of these Requests for Proposals may be obtained from the Board’s web site: www.polkworks.org by clicking on <Business Opps> then clicking on <Procurements> or by contacting: Tom Hornack, (863)519-0100, Ext. 116, e-mail: tom\_hornack@polkworks.org.

Section XII  
Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA04-OR-033

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: MONROE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY  
MONROE COUNTY ORDINANCE NO. 042-2003

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2003), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On December 29, 2003, the Department received for review Monroe County Ordinance No. 042-2003 which was adopted by the Monroe County Board of County Commissioners on November 19, 2003 (“Ord. 042-2003”). The purpose of Ord. 042-2003 is to amend Sections 9.5-351 through 9.5-355, Parking and Loading Standards of the Monroe County Land Development Regulations. The amendments provide for updated off-site parking sharing provisions and conform accessible parking standards to those in the Florida Building Code.

3. Ord. 042-2003 is consistent with the County’s 2010 Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2003).

5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2002) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

6. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2003). The regulations adopted by Ord. 042-2003 are land development regulations.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

8. Ord. 042-2003 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

9. Ord. 042-2003 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 042-2003 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Valerie J. Hubbard, Director  
Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO



SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this \_\_\_\_ day of February 2004.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Murray Nelson  
Mayor of Monroe County  
500 Whitehead Street, Suite 102  
Key West, Florida 33040

Danny L. Kolhage  
Clerk to the Board of County Commissioners  
500 Whitehead Street  
Key West, Florida 33040

Timothy J. McGarry, AICP  
Director, Growth Management Division  
2798 Overseas Highway, Suite 400  
Marathon, Florida 33050

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.31777(2), FLORIDA STATUTES DCA DOCKET NO. 55-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") executed between the St. Johns County School Board and each of the following local governments: St. Johns County, Hastings, St. Augustine, St. Augustine Beach, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the St. Johns County School District, 40 Orange Street, St. Augustine, Florida 32084-3693.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to St. Johns County School Board, St. Johns County, Hastings, St. Augustine, St. Augustine Beach. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Charles Gauthier, AICP  
 Chief, Bureau of Local Planning  
 Department of Community Affairs  
 Division of Community Planning  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

**NOTICE OF FUNDING AVAILABILITY**

The Department of Energy announced funding availability for Federal Fiscal year 2004 under the State Energy Program Special Projects on January 15, 2004 for eligible applicants. All proposals are required to be submitted by the State Energy Office. Approximately 16,000,000 nationwide is available for award to eligible applicants to carry our eligible activities.

The proposals for Clean Cities Support (Category 01D), Clean Cities Ferry Demonstration (Category 01F), Clean Cities E-85 Fueling Network (Category 01G), Industrial Technologies Program (Category 02) and Building Codes and Standards (Category 03) are due to the Florida Energy Office by the close of business March 15, 2004.

The proposals for Clean Cities Niche Markets (Category 01A), Clean Cities School Buses (Category 01C), Rebuild America (Category 04), Building America (Category 05) and the Federal Energy Management Program (Category 06) are due to the Florida Energy Office by the close of business March 17, 2004.

The proposals for Clean Cities Refueling Infrastructure (Category 01B), Clean Cities Idle Reduction Technologies (Category 01E), Solar Technology (Category 07), State Wind Energy Support – Tall Towers (Category 08), Distributed Energy – Regional Application Centers (Category 09) and Biomass (Category 10) are due to the Florida Energy Office by the close of business March 19, 2004.

Proposals may either be hand delivered or sent by U. S. Mail or other licensed carrier and must be received on or before the deadline to Florida Energy Office, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #19, Tallahassee, Florida 32399-3000.

For further information, prospective applicants should contact: Essie Turner, Administrative Assistant, (850)245-2940 or via e-mail: [essie.turner@dep.state.fl.us](mailto:essie.turner@dep.state.fl.us). Interested parties may also address inquiries to the Florida Energy Office, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #19, Tallahassee, Florida 32399-3000.

**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:

Twin Cities Hospital Heliport, a private airport, in Okaloosa County, at Latitude 30° 32' 02" and Longitude 86° 29' 47", to be owned and operated by Mr. Hugo Garza, 2190 Hwy 85 N, Niceville, FL 32578.

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](mailto:aviation.fdot@dot.state.fl.us), Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

---

### DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

#### Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Buell Distribution Corporation and affiliate of Harley-Davidson Motor Company, intends to allow the establishment of Harley-Davidson of Ocala, Inc., as a dealership for the sale of Buell motorcycles, at 5331 North Highway 441, Ocala (Marion County), Florida, 33475 on or after January 28, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Harley-Davidson of Ocala, Inc. are dealer operator(s) and principal investor(s): Derek Kelley, 7003 S. E. 12th Circle, Ocala, FL 34480 and Robert Goodwyn, 562 Hackney Drive, Marietta, GA 30067.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Scott Manley, Manager, Dealer/Market Development, Harley Davidson Motor Company, 3700 West Juneau Ave., P. O. Box 653, Milwaukee, WI 53201.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

---

#### Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of Gulf Coast Harley-Davidson, Inc. d/b/a Gulf Coast Harley-Davidson d/b/a Gulf Coast Buell, as a dealership for the sale of Thunder Mountain Custom motorcycles at 5817 SR 54, New Port Richey (Pinellas County) FL 34652, on or after January 23, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Harley-Davidson, Inc. d/b/a Gulf Coast Harley-Davidson d/b/a Gulf Coast Buell are dealer operator(s): Preston L. Farrior, 1306 W. Kennedy Blvd., Tampa, FL 33606; principal investor(s): Cigar City Motors, Inc. and Ferman Automotive Management, 1306 W. Kennedy Blvd., Tampa, FL 33606.

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: Maria Amaya, Controller, Thunder Mountain Custom Cycles, Inc., 5836 Wright Drive, Loveland, CO 80538.

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, Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of Cigar City Motors, Inc. d/b/a Harley-Davidson of Tampa, d/b/a Buell of Tampa, as a dealership for the sale of Thunder Mountain Custom motorcycles at 6920 North Dale Mabry Highway, Tampa (Hillsborough County), FL 33614, on or after January 23, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Cigar City Motors, Inc. d/b/a Harley-Davidson of Tampa, d/b/a Buell of Tampa are dealer operator(s): Preston L. Farrior, 1306 W. Kennedy Blvd., Tampa, FL 33606; principal investor(s): James L. Ferman, Jr. & Cecelia D. Ferman Tenants by Entirety, c/o Ferman Automotive Management, 1306 W. Kennedy Blvd., Tampa, FL 33606 and Preston L. Farrior & Laura F. Farrior Tenants by Entirety, c/o Ferman Automotive Management, 1306 W. Kennedy Blvd., Tampa, FL 33606.

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: Maria Amaya, Controller, Thunder Mountain Custom Cycles, Inc., 5836 Wright Drive, Loveland, CO 80538.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration has received an application for services exemption from Lehigh Regional Medical Center, Lehigh Acres, Florida pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The services categories, which the exemptions are requested, are: plastic surgery, cardiology, pulmonary medicine orthopedics, and gynecology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mailing: Jack Plagge, Hospital and Outpatient Services Unit, [plaggej@fdhc.state.fl.us](mailto:plaggej@fdhc.state.fl.us).

The Agency for Healthcare Administration has received an application for services exemption from Gulf Pines Hospital, 102 20th Street, Port St. Joe, Florida 32456, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.207, Florida Administrative Code. The service categories for which the exemption is requested is: Emergency Medicine from 5:00 p.m. to 8:00 a.m. seven (7) days per week. Comments received within 15 days of the publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)487-2717, e-mail: Pat Underwood, Hospital and Outpatient Services Unit, [underwop@fdhc.state.fl.us](mailto:underwop@fdhc.state.fl.us).

**CERTIFICATE OF NEED  
LETTERS OF INTENT**

The Agency for Health Care Administration received and accepted the following letters of intent for the March 10, 2004 application filing date for Hospital Beds and Facilities batching cycle:

County: Escambia	District: 1
Date Filed: 2/9/2004	LOI #: H0402001
Facility/Project: SemperCare Hospital of Pensacola, Inc.	
Applicant: SemperCare Hospital of Pensacola, Inc.	
Project Description: Establish a long-term care hospital of up to 40 beds at Baptist Hospital in Pensacola	

County: Escambia	District: 1
Date Filed: 2/9/2004	LOI #: H0402002
Facility/Project: Select Specialty Hospital-Escambia, Inc.	
Applicant: Select Specialty Hospital-Escambia, Inc.	
Project Description: Establish a long-term care hospital of up to 60 beds	

County: Marion	District: 3	County: Pinellas	District: 5
Date Filed: 2/9/2004	LOI #: H0402003	Date Filed: 2/9/2004	LOI #: H0402011
Facility/Project: Ten Broeck Central Florida, Inc.		Facility/Project: Baycare Long Term Acute Care, Inc.	
Applicant: Ten Broeck Central Florida, Inc.		Applicant: Baycare Long Term Acute Care, Inc.	
Project Description: Establish an adult substance abuse hospital of up to 20 beds		Project Description: Establish a long-term care hospital of up to 100 beds	
County: Marion	District: 3	County: Hillsborough	District: 6
Date Filed: 2/9/2004	LOI #: H0402004	Date Filed: 2/9/2004	LOI #: H0402012
Facility/Project: Ten Broeck Central Florida, Inc.		Facility/Project: Baycare Long Term Acute Care, Inc.	
Applicant: Ten Broeck Central Florida, Inc.		Applicant: Baycare Long Term Acute Care, Inc.	
Project Description: Establish an adult psychiatric hospital of up to 46 beds		Project Description: Establish a long-term care hospital of up to 90 beds	
County: Alachua	District: 3	County: Polk	District: 6
Date Filed: 2/9/2004	LOI #: H0402005	Date Filed: 2/9/2004	LOI #: H0402013
Facility/Project: Select Specialty Hospital-Alachua, Inc.		Facility/Project: SemperCare Hospital of Lakeland, Inc.	
Applicant: Select Specialty Hospital-Alachua, Inc.		Applicant: SemperCare Hospital of Lakeland, Inc.	
Project Description: Establish a long-term care hospital of up to 44 beds		Project Description: Establish a long-term care hospital of up to 40 beds at Lakeland Regional Medical Center	
County: Levy	District: 3	County: Polk	District: 6
Date Filed: 2/9/2004	LOI #: H0402006	Date Filed: 2/9/2004	LOI #: H0402014
Facility/Project: Tri-County Hospital, LLC		Facility/Project: Select Specialty Hospital-Marion, Inc.	
Applicant: Tri-County Hospital, LLC		Applicant: Select Specialty Hospital-Marion, Inc.	
Project Description: Establish a new 30-bed acute care hospital		Project Description: Establish a long-term care hospital of up to 44 beds	
County: Duval	District: 4	County: Hillsborough	District: 6
Date Filed: 2/9/2004	LOI #: H0402007	Date Filed: 2/5/2004	LOI #: H0402015
Facility/Project: Brooks Rehabilitation Hospital		Facility/Project: University Community Hospital	
Applicant: Genesis Rehabilitation Hospital, Inc.		Applicant: University Community Hospital, Inc.	
Project Description: Add up to 20 comprehensive medical rehabilitation beds		Project Description: Add 10 comprehensive medical rehabilitation beds	
County: Duval	District: 4	County: Brevard	District: 7
Date Filed: 2/9/2004	LOI #: H0402008	Date Filed: 2/3/2004	LOI #: H0402016
Facility/Project: Ten Broeck Jacksonville, LLC		Facility/Project: Holmes Regional Medical Center	
Applicant: Ten Broeck Jacksonville, LLC		Applicant: Holmes Regional Medical Center, Inc.	
Project Description: Establish a specialty hospital of up to 20 adult psychiatric beds through delicensure of an equivalent number of psychiatric beds at Ten Broeck Hospital		Project Description: Establish an acute care hospital of up to 100 beds	
County: Duval	District: 4	County: Brevard	District: 7
Date Filed: 2/9/2004	LOI #: H0402009	Date Filed: 2/5/2004	LOI #: H0402017
Facility/Project: Ten Broeck Jacksonville, LLC		Facility/Project: Wuesthoff Medical Center-Melbourne	
Applicant: Ten Broeck Jacksonville, LLC		Applicant: Wuesthoff Memorial Hospital, Inc.	
Project Description: Establish a specialty hospital of up to 10 adult substance abuse beds through delicensure of an equivalent number of substance abuse beds at Ten Broeck Hospital		Project Description: Add up to 50 acute care beds	
County: Duval	District: 4	County: Brevard	District: 7
Date Filed: 2/9/2004	LOI #: H0402010	Date Filed: 2/5/2004	LOI #: H0402018
Facility/Project: Select Specialty Hospital-Duval, Inc.		Facility/Project: Wuesthoff Medical Center - Rockledge	
Applicant: Select Specialty Hospital-Duval, Inc.		Applicant: Wuesthoff Memorial Hospital, Inc.	
Project Description: Establish a long-term care hospital of up to 40 beds at Shands-Jacksonville Medical Center		Project Description: Add up to 50 acute care beds	
		County: Orange	District: 7
		Date Filed: 2/9/2004	LOI #: H0402019
		Facility/Project: Sand Lake Hospital	
		Applicant: Orlando Regional Healthcare System, Inc.	
		Project Description: Add up to 54 acute care beds	

County: Osceola District: 7  
 Date Filed: 2/9/2004 LOI #: H0402020  
 Facility/Project: Osceola Regional Medical Center  
 Applicant: Osceola Regional Hospital, Inc.  
 Project Description: Add up to 20 acute care beds

County: Osceola District: 7  
 Date Filed: 2/9/2004 LOI #: H0402021  
 Facility/Project: Osceola Regional Medical Center  
 Applicant: Osceola Regional Hospital, Inc.  
 Project Description: Add up to four Level II NICU beds to the existing six-bed unit

County: Lee District: 8  
 Date Filed: 2/9/2004 LOI #: H0402022  
 Facility/Project: Select Specialty Hospital-Lee, Inc.  
 Applicant: Select Specialty Hospital-Lee, Inc.  
 Project Description: Establish a long-term care hospital of up to 60 beds

County: Lee District: 8  
 Date Filed: 2/6/2004 LOI #: H0402023  
 Facility/Project: Lee Behavioral Health Systems, Inc.  
 Applicant: Lee Behavioral Health Systems, Inc.  
 Project Description: Establish an adult psychiatric hospital of up to 55 beds

County: Lee District: 8  
 Date Filed: 2/9/2004 LOI #: H0402024  
 Facility/Project: Southwest Florida Regional Medical Center, Inc.  
 Applicant: Southwest Florida Regional Medical Center, Inc.  
 Project Description: Construct replacement hosp. of up to 400 acute care beds & cardiac/transplant services at Gulf Coast Hosp. thru delicensure of 110 acute/10 SNF beds at Gulf Cst

County: Sarasota District: 8  
 Date Filed: 2/5/2004 LOI #: H0402025  
 Facility/Project: Manatee Memorial Hospital, L.P.  
 Applicant: Manatee Memorial Hospital, L.P.  
 Project Description: Establish a new acute care hospital of up to 120 beds

County: Palm Beach District: 9  
 Date Filed: 2/9/2004 LOI #: H0402026  
 Facility/Project: Select Specialty Hospital-Palm Beach, Inc.  
 Applicant: Select Specialty Hospital-Palm Beach, Inc.  
 Project Description: Establish a long-term care hospital of up to 60 beds

County: Palm Beach District: 9  
 Date Filed: 2/2/2004 LOI #: H0402027  
 Facility/Project: Wellington Regional Medical Center  
 Applicant: Wellington Regional Medical Center, Inc.  
 Project Description: Establish a new Level III NICU of up to 15 beds

County: St. Lucie District: 9  
 Date Filed: 2/9/2004 LOI #: H0402028  
 Facility/Project: Martin Memorial Medical Center, Inc.  
 Applicant: Martin Memorial Medical Center, Inc.  
 Project Description: Establish a new acute care hospital of up to 80 beds

County: Dade District: 11  
 Date Filed: 2/9/2004 LOI #: H0402029  
 Facility/Project: Villa Maria Nursing & Rehabilitation Center, Inc.  
 Applicant: Villa Maria Nursing & Rehabilitation Center, Inc.  
 Project Description: Establish a new comprehensive medical rehabilitation hospital of up to 40 beds through the transfer of up to 40 beds at St. Catherine's Rehab. Hospital

County: Dade District: 11  
 Date Filed: 2/6/2004 LOI #: H0402030  
 Facility/Project: Mount Sinai Medical Center & Miami Heart Institute  
 Applicant: Mount Sinai Medical Center of Florida, Inc.  
 Project Description: Add 22 comprehensive medical rehabilitation beds through delicensure of existing acute care beds

County: Dade District: 11  
 Date Filed: 2/6/2004 LOI #: H0402031  
 Facility/Project: South Miami Hospital  
 Applicant: South Miami Hospital, Inc.  
 Project Description: Establish a Level III NICU of up to six beds through delicensure of up to six acute care beds

County: Dade District: 11  
 Date Filed: 2/5/2004 LOI #: H0402032  
 Facility/Project: Baptist Hospital of Miami  
 Applicant: Baptist Hospital of Miami, Inc.  
 Project Description: Add seven Level III NICU beds

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after April 14, 2004, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on March 26, 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 JUVENILE JUSTICE**

The Florida Department of Juvenile Justice has posted one new policy for review and comment on MyFlorida.com at:

<http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>

Contract Management and Program Monitoring (department-wide policy type B) – establishes procedures requiring that contract management shall ensure that contractual services are delivered in accordance to the terms and conditions of the contract prior to the processing of invoices for payment and that program monitoring shall ensure that quality services are provided, that department standards are maintained, and department policies are followed. This is the first of two 20 working day review and comment periods. The closure date for submission of comments on this policy is March 18, 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 February 5, 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 Arnaldo Carmouze, P.A., license number PA 9100713. 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 February 10, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Ann Jane Sumner, R.N., license number RN 3396262. 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.

---

**FLORIDA HOUSING FINANCE CORPORATION**

2003 Homeownership Loan Program/  
2003-2004 Supplemental Cycle  
(HOME PROGRAM ONLY)

The Florida Housing Finance Corporation announces an Application Cycle to award funding under the HOME Program. Applications for HAP funding are not being accepted at this time.

- The 45-day Application Cycle will begin on Monday, February 23, 2004, and end at 5:00 p.m., EST, Wednesday, April 7, 2004
- It is anticipated that approximately \$20,000,000 in HOME funds will be available to eligible developments that meet the Application criteria
- Funding will be awarded in accordance with Rule Chapter 67-50, Florida Administrative Code (F.A.C.), as amended on May 5, 2003
- Rule Chapter 67-50, F.A.C. and the interactive 2003 Application Package are located on our website at: [www.floridahousing.org](http://www.floridahousing.org)
- For more information on the Homeownership Loan Program contact: Shirley Alfsen or Bridget Warring, (850)488-4197

If you are hearing or speech impaired, please contact Florida Housing using the Dual Party Relay System, 1(800)955-8770 or 1(800)955-8771.

---

**DEPARTMENT OF FINANCIAL SERVICES**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation has received the following applications.

Comments may be submitted to the Deputy Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., March 12, 2004):

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: First State Bank of Fort Lauderdale, Fort Lauderdale, Florida

Proposed Purchaser: Harold Connell, Miami, Florida  
Received: February 6, 2004

**APPLICATION TO MERGE**

Constituent Institutions: Citizens Bank of Frostproof, Frostproof, Florida and American Bank and Trust, Lake Wales, Florida

Resulting Institution: Citizens Bank of Frostproof  
Received: February 5, 2004

---



**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN February 2, 2004  
 and February 6, 2004

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**DEPARTMENT OF TRANSPORTATION**

14-102.0011	2/2/04	2/22/04	30/1	
-------------	--------	---------	------	--

**DEPARTMENT OF CITRUS**

20-13.0011	2/4/04	2/24/04	29/50	
20-115.001	2/4/04	2/24/04	29/50	

**DEPARTMENT OF CORRECTIONS**

33-602.210	2/5/04	2/25/04	29/48	30/1
------------	--------	---------	-------	------

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

64B3-8.002	2/4/04	2/24/04	30/1	
64B3-8.003	2/4/04	2/24/04	30/1	
64B3-8.004	2/4/04	2/24/04	30/1	
64B3-8.005	2/4/04	2/24/04	30/1	
64B3-9.005	2/4/04	2/24/04	30/1	
64B3-9.009	2/4/04	2/24/04	30/1	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
64B3-9.010	2/4/04	2/24/04	30/1	
64B3-9.011	2/4/04	2/24/04	30/1	
64B3-9.012	2/4/04	2/24/04	30/1	
64B3-11.001	2/4/04	2/24/04	30/1	
64B3-11.003	2/4/04	2/24/04	30/1	
64B3-11.004	2/4/04	2/24/04	30/1	
64B3-12.002	2/4/04	2/24/04	30/1	
64B3-12.003	2/4/04	2/24/04	30/1	
64B3-12.004	2/4/04	2/24/04	30/1	
64B3-12.005	2/4/04	2/24/04	30/1	

**Board of Nursing**

64B9-5.003	2/2/04	2/22/04	29/52	
64B9-8.003	2/2/04	2/22/04	29/52	
64B9-8.006	2/2/04	2/22/04	29/52	

**Board of Osteopathic Medicine**

64B15-6.002	2/3/04	2/23/04	29/40	
64B15-6.003	2/3/04	2/23/04	29/40	
64B15-6.0037	2/3/04	2/23/04	29/40	
64B15-6.0038	2/3/04	2/23/04	29/40	
64B15-6.013	2/3/04	2/23/04	29/40	