

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

RULE TITLES:	RULE NOS.:
Definitions	3C-560.103
Records to be Maintained by Deferred Presentment Providers	3C-560.707
Payment Method	3C-560.804
Definitions	3C-560.902
Deferred Presentment Transactions	3C-560.903
Transaction Agreement Disclosures and Requirements	3C-560.904
Database Transaction Requirements	3C-560.908

PURPOSE AND EFFECT: The amendments to the rule provide clarification to the definition of gross income for purposes of determining whether a person is engaged in the business of check cashing for which registration is required. The amendments further provide for additional procedures and requirements necessary for the effective operation of the deferred presentment database.

SUBJECT AREA TO BE ADDRESSED: Deferred Presentment Transactions.

SPECIFIC AUTHORITY: 560.105(3), 560.404(23) FS.

LAW IMPLEMENTED: 560.103, 560.118(2), 560.205(3),(4), 560.208, 560.402, 560.404, 560.407 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., Tuesday, May 11, 2004

PLACE: Office of Financial Regulation, The Fletcher Building, 101 E. Gaines St., Room 547, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mike Ramsden, 200 E. Gaines St., Tallahassee, FL 32399-0300, (850)410-9805

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

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Florida Building Commission – Operational Procedures	9B-3
RULE TITLES:	RULE NOS.:
State Minimum Plumbing Code Adopted	9B-3.048
State Minimum Electrical Code Adopted	9B-3.049
Statewide Amendments to the Florida Building Code	9B-3.050

PURPOSE AND EFFECT: Repeal obsolete provisions adopting the State Minimum Plumbing Code and State Minimum Electrical Code, and amend the process for proposal of statewide amendments to the Florida Building Code to require identification of rationale for the proposed change to provide the basis for or content of a code commentary.

SUBJECT AREA TO BE ADDRESSED: Florida Building Commission Operational Procedures.

SPECIFIC AUTHORITY: 553.06(1), 553.19, 553.73, 553.73(3),(6), 553.76, 553.77 (1)(a),(6) FS.

LAW IMPLEMENTED: 553.06(1), 553.19, 553.73(3),(6), 553.77(6) FS.

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

TIME AND DATE: 10:30 a.m., Tuesday, April 20, 2004

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

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

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

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

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE: Florida Building Energy Rating System
 RULE CHAPTER NO.: 9B-60

RULE TITLES: Department Activities
 RULE NOS.: 9B-60.003

Florida Building Energy Rating System,
 Adopted 9B-60.004

Training and Certification Program 9B-60.005

Guidelines for Uniformity, Adopted 9B-60.008

PURPOSE AND EFFECT: Section 553.992, Part XI, F.S., requires the Department of Community Affairs (the Department) to update the Building Energy-Efficiency Rating System in accordance with the procedures of Chapter 120, F.S. Further, Section 553.995(1)(c), F.S., requires that the energy rating system be compatible with standard federal rating systems and state building codes, where applicable. The purposes of this rule change are to 1) adopt by reference the Mortgage Industry National Home Energy Rating Systems Accreditation Standards, promulgated by the National Association of State Energy Officials (NASEO)/Residential Energy Services Network (RESNET), June 15, 2002, 2) amend the rating system calculation procedures so that they are consistent with the revisions to Chapter 13 of the Florida Building Code, Building, and the National Home Energy Rating Technical Guidelines, 3) to require written disclosure of financial or other conflict of interest in accordance with Section 4.C.6 of the National Accreditation Procedures for Home Energy Rating Systems, 4) to expand recertification requirements for residential raters to require satisfactory demonstration of the skills necessary to perform a Class 1 rating and attend a refresher course if a rater fails to pass the recertification test in his/her rating classification, 5) to require a written report be provided to the client for every rating performed, 6) to remove the Department from software development and maintenance and add the Florida Solar Energy Center and its address to the written report, 7) to require Class 1 duct testing to be performed in accordance with the new standard BSR/ASHRAE 152-04, and 8) to have the Florida Solar Energy Center develop and maintain a database of BERS ratings.

SUBJECT AREA TO BE ADDRESSED: The National Association of State Energy Officials has published technical guidelines and accreditation procedures for home energy ratings. The Department has amended the multipliers contained in EnergyGauge/ResFREE to reflect those in Form 600A-01 (all climate zones) as found in Chapter 13 of the Florida Building Code, Building. Further, the Department is proposing to revise the provisions for criteria contained in the report to the consumer, require disclosure of financial or other interest, and expand the criteria for recertification as a BERS rater. With the final approval of a new duct testing standard by the American Society of Heating, Refrigerating and

Air-conditioning Engineers, Inc. (ASHRAE), the rule is amended to cite that standard for Class 1 duct testing. A database of ratings performed on homes in Florida would provide the consumer with the ability to go online to find previous BERS ratings.

SPECIFIC AUTHORITY: 553.992, 553.995(1)(c), 553.998 FS.

LAW IMPLEMENTED: 553.992, 553.994, 553.995(1), (1)(c),(4), 553.996 FS.

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

TIME AND DATE: 9:30 a.m. – 12:00 Noon, May 12, 2004

PLACE: The Randall Kelley Training Center, Third Floor, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ann Stanton, Building Codes Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-0964, SunCom 278-0964

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-60.003 Department Activities.

(1) No change.

(2) Within three (3) years of the date of adoption of the rating system, and at least triennially thereafter in conjunction with the triennial review of Chapter 13 of the Florida Building Energy Efficiency Code, ~~For Building Volume Construction~~ (the Code), the Department shall review the energy rating system program criteria and the calculation tools used in common by both the BERS and the Code that are adopted herein to determine the need for revision or modification. The residential rating system methodology is based on Method A of Sub-Chapter 6 of Chapter 13 of the Code, while the commercial rating system methodology is based on Method A of Sub-Chapter 4 of the Code. At a minimum, the Department shall update the rating system by adopting modifications to the current editions of the Code and the ~~National Home Energy Rating Technical System (HERS)~~ Guidelines promulgated by the National Association of State Energy Officials. Copies of the Code and the Technical HERS Guidelines are available

from the Florida Department of Community Affairs, Building Codes and Standards Office, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

(3) through (4) No change.

Specific Authority 553.992, 553.998 FS. Law Implemented 533.992, 553.996 FS. History—New 7-1-94, Amended 12-27-98, _____.

9B-60.004 Florida Building Energy Rating System, Adopted.

(1) No change.

(2) The energy rating for ~~new~~ residential buildings (~~Class 3~~) shall be determined using only the Florida Residential Building Energy Rating System software (EnergyGauge/ResFREE, Version ~~3~~ 2) ~~developed and maintained by the Department~~, which produces the Florida Building Energy Rating Guide forms: Form #11A-~~0197~~ for the North climate zone, Form #11B-~~0197~~ for the Central climate zone, and Form #11C-~~0197~~ for the South climate. The rating system software (EnergyGauge/ResFREE, Version ~~3~~ 2) that produces these forms is hereby incorporated by reference. Air distribution system testing for Class 1 ratings shall be performed in accordance with BSR/ASHRAE Standard 152-04, "Method of Test for Determining the Design and Seasonal Efficiency of Residential Thermal Distribution Systems." A Class 3 rating shall be clearly labeled as a "projected rating based on plans."

~~(3) The energy rating for existing residential buildings shall be determined using the Florida Residential Building Energy Rating System software (EnergyGauge/ResFREE, Version 2) which produces the Florida Building Energy Rating Guide forms listed in 9B-60.004(2). The Florida Residential Building Energy Rating System software (EnergyGauge/ResFREE, Version 2) is hereby incorporated by reference.~~

~~(3)~~(4) No change.

~~(4)~~(5) The energy rating for ~~new~~ public and ~~new~~ commercial buildings shall be determined using only the Florida Commercial Building Energy Rating System software (EnergyGauge/ ComFREE ~~97~~, Version ~~1~~ 2.2) ~~developed and maintained by the Department~~ which produces the Florida Building Energy Rating Guide forms: Form #12A-~~01~~ 97 for the North climate zone, Form #12B-~~01~~ 97 for the Central climate zone and Form #12C-~~01~~ 97 for the South climate zone. The Florida Commercial Building Energy Rating System software (EnergyGauge/ComFREE ~~97~~, Version ~~1~~ 2.2) is hereby incorporated by reference. Public buildings owned or leased by state agencies and units of local government that are governed by Section 255.254, F.S., may utilize this rating system as one of the annual energy usage and cost methods approved by those agencies.

~~(6) The energy rating for existing commercial buildings shall be determined using only the Florida Commercial Building Energy Rating software (EnergyGauge/ComFree 97, Version 2.2) developed and maintained by the Department~~

~~which produces the Florida Commercial Building Energy Rating Guide forms listed in subsection 9B-60.004(5), F.A.C. The Florida Commercial Building Energy Rating System software (EnergyGauge/ComFREE 97, Version 2.2) is hereby incorporated by reference.~~

~~(5)~~(7) No change.

Specific Authority 553.992 FS. Law Implemented 553.994, 553.995(1) FS. History—New 7-1-94, Amended 10-3-94, 1-11-95, 12-27-98, _____.

9B-60.005 Training and Certification Program.

(1) General Provisions.

(a) Beginning with the implementation date of this rule, no person may provide a rating for buildings in Florida unless such a person has been certified as provided by this part. To perform a rating for any building as required by this Rule, the person performing the rating must be certified by the Department of Community Affairs. In accordance with Chapter 1, Section 4.C.6 of the "National Accreditation Procedures for Home Energy Rating Systems," a Florida Certified Rater who has a financial or other interest resulting from the energy Rating results (including any recommended improvements resulting from the Rating) shall provide written disclosure of the nature of the financial or other interest to the owner of the property being rated.

(b) No change.

(c) An application for annual certification renewal shall be submitted on Form 500B-~~01~~ 98, herein incorporated by reference, with a renewal fee of \$50. In addition to the annual renewal fee, a certified residential rater must, over a three year period, have completed twelve credit hours of continuing education in courses accepted by the Department for certification renewal. Acceptable courses shall, in general, be those dealing with energy use in buildings or building systems (including heating, ventilating and air conditioning), building design or construction, codes or plan review, financing or selling buildings, and courses on energy rating systems.

(2) The following qualifications, at a minimum, are required for certification as a rater:

(a) The individual shall submit an application on the Department of Community Affairs Form #500A-~~01~~ 98, herein incorporated by reference, and pay the appropriate application fee of \$150.00. The form is available by writing to the Department of Community Affairs, Energy Rating System Program, 2555 Shumard Oak Blvd, Tallahassee, Florida 32399-2100.

(b) through (d) No change.

(e) Recertification is required within six months of the effective date of major revisions to Chapter 13 of the Florida Building Energy Efficiency Code, For Building Construction or at least every three years from the rater's last date of certification. For recertification, the applicant shall attend training on changes impacting the rating system provided by the Department of Community Affairs and demonstrate

achievement of a level of knowledge and proficiency so as to successfully rate buildings by passing a Department test applicable to the buildings being rated. The fee for recertification shall be the annual certification renewal fee. In addition to the written test, Class 1 residential raters shall be required to satisfactorily demonstrate performance testing skills necessary to perform a Class 1 rating as part of certification training and testing and at the time of recertification. Class 1 residential raters shall be required to satisfactorily perform and complete one Class 1 rating, accompanied and evaluated by another randomly chosen Class 1 rater, as a requirement for recertification and to comply with the National Home Energy Rating Technical HERS Guidelines requirement for periodic peer review and reevaluation of raters. Class 1 raters shall also be required to serve as a Class 1 peer evaluator at least once within three years before being recertified. These regulations in no way exempt any person from other state and local occupational licensure requirements. Any rater who fails to pass the recertification test in his or her rating classification shall be required to attend a refresher course approved by the Department of Community Affairs and retake the test. Until the rater can demonstrate his/her ability to perform ratings in his/her classification, registration of ratings by the rater shall be prohibited.

(3) Reporting Requirements. Certified raters shall submit all ratings to the Department in care of the Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, FL 32920 in electronic format, either via electronic mail (e-Mail) or on 3 1/2" diskette. A written report shall be provided to the purchaser of real property or that individual who requested the rating, conforming with the requirements of Section 553.998, Florida Statutes.

(a) The Florida Solar Energy Center shall maintain an electronic database to verify that a BERS Rating has been registered for a specific real property. Upon request, the database may be queried to determine if a specific property has a registered BERS Rating.

(b) The Florida Solar Energy Center may provide a registered BERS Rating report from the electronic database to a homeowner or prospective home purchaser of a specific property for a fee upon request.

(4) The Florida Building Energy Rating report provided to the client shall include a completed copy of the Florida Building Energy Rating Guide (Form #11-01 97 or Form #12-01 97) containing the following:

(a) through (b) No change.

(c) The statement: "This notice is provided to you by an individual certified by the Florida Department of Community Affairs to perform a building energy rating evaluation. Any questions, comments, or complaints regarding the person or agency performing this service may be directed to the Florida Department of Community Affairs, Building Energy Rating

System Program, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or the Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, FL 32920."

(d) The disclosure form printed from the Energy Gauge Res/Free program.

Specific Authority 553.992 FS. Law Implemented 553.995(4) FS. History—New 7-1-94, Amended 10-3-94, 1-11-95, 12-27-98, _____.

9B-60.008 Guidelines for Uniformity, Adopted.

The Mortgage Industry National Home Energy Rating Systems Accreditation Standards, promulgated by the National Association of State Energy Officials (NASEO)/Residential Energy Services Network (RESNET), June 15, 2002, 1996 Guidelines for Uniformity, Voluntary Procedures for Home Energy Ratings, Version 2.0, prepared by the Home Energy Rating Systems (HERS) Council and the Florida Addendum to the National HERS Council Guidelines, dated December 1998, is adopted and incorporated by reference as the rule of this Department.

Specific Authority 553.992 FS. Law Implemented 553.995(1)(c) FS. History—New 12-27-98, Amended _____.

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Department of Community Affairs – Florida Building Commission	9B-72
RULE TITLES:	RULE NOS.:
Scope	9B-72.005
Definitions	9B-72.010
Local Product Approval Generally	9B-72.030
Product Evaluation and Quality Assurance for Local Approval	9B-72.040
Validation of Evaluation for Local Approval	9B-72.045
Product Approval by Local Jurisdiction and Acceptance	9B-72.050
Optional Statewide Approval Generally	9B-72.060
Product Evaluation and Quality Assurance for Optional Statewide Approval	9B-72.070
Product Validation by Approved Validation Entity for Optional Statewide Approval	9B-72.080
Product Approval by the Commission	9B-72.090
Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies	9B-72.100
Criteria for Certification of Independence	9B-72.110
List of Approved Product Evaluation Entities, Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies	9B-72.120

Forms	9B-72.130
Revisions to Submittals for Statewide Approval	9B-72.135
Revocation or Modification of Product Approvals and Entity Certifications	9B-72.160
Investigation	9B-72.170
Equivalence of Standards	9B-72.180
Reference Standards	9B-72.190

PURPOSE AND EFFECT: To implement solutions to issues arising during implementation of the product approval system since October 1, 2003, as identified by Commission staff and stakeholders.

SUBJECT AREA TO BE ADDRESSED: Product approval system.

SPECIFIC AUTHORITY: 553.77(1)(i), 553.842(1),(9),(14),(15) FS.

LAW IMPLEMENTED: 553.842(1),(2), (5),(6), (8),(9), (14),(15) FS.

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

TIME AND DATE: 10:45 a.m., Tuesday, April 20, 2004
 PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida 32819

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

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

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Comprehensive Emergency Management Plan	9G-2

RULE TITLE:	RULE NO.:
State Comprehensive Emergency Management Plan Adopted	9G-2.002

PURPOSE AND EFFECT: To adopt the 2004 revised version of the State CEMP as required by Chapter 252, Florida Statutes. This action would replace the 2002 version.

SUBJECT AREA TO BE ADDRESSED: The State Comprehensive Emergency Management Plan.

SPECIFIC AUTHORITY: 252.35(2)(u) FS.

LAW IMPLEMENTED: 252.35(2)(a) FS.

IF REQUESTED IN WRITING, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Charlie Worthen, Planner IV, Bureau of Preparedness and Response, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9973, Suncom 293-9973, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Charlie Worthen, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9973, Suncom 293-9973

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9G-2.002 State Comprehensive Emergency Management Plan Adopted.

(1) The Department hereby adopts and incorporates by reference into this Chapter the State Comprehensive Emergency Management Plan (~~February 1, 2004 July 8, 2002~~ Edition).

(2) The State Comprehensive Emergency Management Plan shall be the master operations document for the State of Florida in responding to all emergencies, and all catastrophic, major, and minor disasters.

Specific Authority 252.35(2)(u) FS. Law Implemented 252.35(2)(a) FS. History--New 1-4-01, Amended 7-8-02,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE:	RULE NO.:
Inmate Orientation	33-601.100

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

SUBJECT AREA TO BE ADDRESSED: Inmate Orientation.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.100 Inmate Orientation.

Upon initial arrival in the Department of Corrections, each inmate shall be provided with orientation at which time the rules and procedures of the Department of Corrections shall be explained. Upon transfer within the Department, each inmate shall be provided with orientation that is specific to the local institution. The warden shall review and approve the contents of the orientation to ensure that the security of the institution is not compromised. The reception centers shall provide a more in-depth orientation of overall department rules, while the receiving institutions which serve as the inmates' permanent locations shall emphasize the local operating procedures in their orientation. As inmates are received into the department, reception centers shall provide each inmate with a printed copy of Rules 33-601.301-601.314, F.A.C., Inmate Discipline. Translations or translation assistance shall be provided as needed. Copies of the rules and procedures shall be available to inmates upon request to read or review (not for retention). ~~In cases where the inmate is unable to read or comprehend English, translation shall be made available. Copies of the rules and procedures shall also be available for inmate inspection in the institutional library.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History-New 1-19-03, Amended _____.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Permitting of Water Use 40B-2

RULE TITLE: RULE NO.:

Duration of Permits 40B-2.321

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to provide an extension of expiration dates for water use permits issued between January 1, 1984 and December 31, 1985. The effect of the proposed rule amendment is to delay the requirement for those existing water users to renew their permits.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will provide an extension of expiration dates for water use permits issued between January 1, 1984 and December 31, 1985, subject to certain conditions.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.236 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40B-2.321 Duration of Permits.

(1) Unless revoked, modified, or specifically identified as a limiting condition pursuant to paragraph 40B-2.381(2)(d), F.A.C., the duration of permits shall be as provided in Section 373.236, Florida Statutes.

(2) The Governing Board hereby extends for three years all water use permits issued between January 1, 1984, and December 31, 1985, subject to the following requirements:

(a) The permit was issued for a duration of twenty years and has received no extensions prior to the effective date of this rule amendment.

(b) The permit has not been renewed prior to the effective date of this rule amendment.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.236 FS. History-New 10-1-82, Amended _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Procedural 40D-1

RULE TITLE: RULE NO.:

Variances from Water Shortage Rules

(Chapter 40D-21, F.A.C.) 40D-1.1002

PURPOSE AND EFFECT: Update the District's Water Shortage Plan.

SUBJECT AREA TO BE ADDRESSED: Rules of Chapter 40D-21, F.A.C., (Water Shortage Plan) and 40D-1.1002, F.A.C., (Variances from 40D-21) will be discussed. These rule development and staff workshops are to gather feedback on the "concept" document. District staff will briefly outline the legal framework for updating both rules, then will solicit input based on "lessons learned" from past drought events and other concerns or suggestions.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.119, 373.129, 373.136, 373.175, 373.246, 373.603, 373.609 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:
 TIME AND DATE: 1:00 p.m. – 3:00 p.m., Monday, April 19, 2004

PLACE: Board Room, Southwest Florida Water Management District, Bartow Office, 170 Century Boulevard, Bartow, Florida

TIME AND DATE: 9:30 a.m. – 11:30 a.m., Thursday, April 29, 2004

PLACE: Board Room, Southwest Florida Water Management District, Sarasota Office, 6750 Fruitville Road, Sarasota, Florida

TIME AND DATE: 1:30 p.m. – 3:30 p.m., Monday, May 3, 2004

PLACE: Board Room, Southwest Florida Water Management District, Brooksville Office, 2379 Broad Street, Brooksville, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lois Sorensen, Water Shortage Coordinator, Records and Data Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4299

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Individual Environmental Resource Permits
 RULE CHAPTER NO.: 40D-4
 RULE TITLE: Publications and Agreements
 RULE NO.: 40D-4.091
 INCORPORATED BY REFERENCE

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments is to address concerns expressed by the staff of the Joint Administrative Procedures Committee (JAPC) regarding Section 5.1 and 5.6 of the District’s Environmental Resource Permitting Basis of Review.

SUBJECT AREA TO BE ADDRESSED: Revision of Sections 5.1 and 5.6 and the repeal of Section 5.6 in Chapter 5 – Water Quality, of the District’s Environmental Resource Permitting Basis of Review.

SPECIFIC AUTHORITY: 373.044, 373.046, 373.113, 373.171, 373.414 FS.

LAW IMPLEMENTED: 373.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 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: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-4.091 Publications and Agreements Incorporated by Reference.

The following documents are hereby incorporated into this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) “Basis of Review for Environmental Resource Permit Applications with the Southwest Florida Water Management District, _____, ~~March 11, 2004~~. This document is available from the District upon request.

(2) through (4) No change.

Specific Authority 373.044, 373.046, 373.113, 373.171, 373.414 FS. Law Implemented 373.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 FS. History—New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-88, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-23-03, 8-3-03, 3-11-04, _____.

ENVIRONMENTAL RESEROURCE PERMITTING
 BASIS OF REVIEW

CHAPTER FIVE – WATER QUALITY

5.1 Projects shall be designed so that discharges will meet applicable state water quality standards.

~~The following design and performance standards are established for the purpose of determining compliance with storm water discharge requirements.~~

Projects designed using to the criteria found in this section shall be presumed to provide reasonable assurance of compliance with the state water quality standards referenced above. The applicant may also provide reasonable assurance of compliance with state water quality standards by the use of alternative propose other methods that utilize a combination of treatment practices that will provide equivalent treatment equivalent to systems designed using the criteria specified as compared to the systems listed in this section. If the applicant chooses to use alternative methods propose a design that does not address the specific criteria listed herein, the applicant must provide the District will determine whether the applicant has provided with reasonable assurance based on plans, test results and other information specific to the proposed design proposed and submitted by the applicant, that the construction, alteration or operation of the system will not discharge, emit, or cause pollution in contravention of the standards referenced above.

5.6 ~~Septic Tank~~ Septic tank systems shall be in accordance with Rules of the Department of Health and Rehabilitative Services, Chapter 10D-6, F.A.C.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:
 Water Levels and Rates of Flow 40D-8

RULE TITLE: RULE NO.:
 Schedule of Levels for Lakes and
 Other Impoundments 40D-8.624

PURPOSE AND EFFECT: To amend Rule 40D-8.624, F.A.C., to incorporate the next set of priority lakes pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum lake levels and guidance levels for Lakes Bell, Bird, Clear, Green, Hancock, Moon, Padgett, Parker (Ann) and Pasadena/Buddy Pasco County, Florida.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086 FS.

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

TIME AND DATE: 6:00 p.m., April 20, 2004

PLACE: Land O'Lakes Community Center, 5401 Land O'Lakes Blvd. (U.S. 41), Land O'Lakes, Florida 34639

WHAT: Public workshop on proposed minimum and guidance levels for Lakes Bell, Bird, Clear, Green, Hancock, Moon, Padgett, Parker (Ann) and Pasadena/Buddy in Pasco County, Florida.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American's With Disability Act should contact: Dianne Lee, (352)796-7211, 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax (352)754-6878, Suncom 663-6878.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Leeper, Senior Environmental Scientist, Resource Conservation and Development Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4272

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: RULE CHAPTER NO.:
 Water Shortage Plan 40D-21

RULE TITLES: RULE NOS.:
 Policy and Purpose 40D-21.011
 Elements of the Plan 40D-21.031
 Definitions 40D-21.051
 Evaluating Water Conditions 40D-21.221
 Declaring a Water Shortage 40D-21.231

Water Shortage Phases 40D-21.251
 Implementing a Water Shortage Declaration 40D-21.275
 Variances (Transferred) 40D-21.291
 Declaring a Water Shortage Emergency 40D-21.331
 Water Use Restrictions in a Water
 Shortage Emergency 40D-21.371
 Implementing a Water Shortage
 Emergency Declaration 40D-21.391
 Monitoring 40D-21.401
 Enforcement 40D-21.421
 General 40D-21.511
 Source Classifications 40D-21.531
 Use Classifications 40D-21.541
 Method of Withdrawal Classifications
 General 40D-21.601
 Phase I: Moderate Water Shortage 40D-21.621
 Phase II: Severe Water Shortage 40D-21.631
 Phase III: Extreme Water Shortage 40D-21.641
 PURPOSE AND EFFECT: Update the District's Water Shortage Plan.

SUBJECT AREA TO BE ADDRESSED: Rules of Chapter 40D-21, F.A.C., (Water Shortage Plan) and 40D-1.1002, F.A.C., (Variances from 40D-21), will be discussed. These rule development and staff workshops are to gather feedback on the "concept" document. District staff will briefly outline the legal framework for updating both rules, then will solicit input based on "lessons learned" from past drought events and other concerns or suggestions.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.119, 373.129, 373.136, 373.175, 373.246, 373.603, 373.609 FS.

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

TIME AND DATE: 1:00 p.m. – 3:00 p.m., Monday, April 19, 2004

PLACE: Board Room, Southwest Florida Water Management District, Bartow Office, 170 Century Boulevard, Bartow, Florida

TIME AND DATE: 9:30 a.m. – 11:30 a.m., Thursday, April 29, 2004

PLACE: Board Room, Southwest Florida Water Management District, Sarasota Office, 6750 Fruitville Road, Sarasota, Florida

TIME AND DATE: 1:30 p.m. – 3:30 p.m., Monday, May 3, 2004

PLACE: Board Room, Southwest Florida Water Management District, Brooksville Office, 2379 Broad Street, Brooksville, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lois

Sorensen, Water Shortage Coordinator, Records and Data Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4299

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Surface Water Management RULE CHAPTER NO.:

Basin and Related Criteria Part III, C-51 Basin 40E-41

PURPOSE, EFFECT AND SUBJECT AREA TO BE ADDRESSED: To amend Chapter 40E-41, Part III C-51 Basin, F.A.C. to revise the basin boundaries and the criteria applicable to Environmental Resource and Surface Water Management Permits in the C-51 Basin.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.085, 373.086, 373.413, 373.416 FS.

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

TIME AND DATE: 9:00 a.m. – 12:00 Noon., Thursday, April 29, 2004

PLACE: South Florida Water Management District, B-1 Storch Room, 3301 Gun Club Road, West Palm Beach, FL 33406, phone: (561)686-8800 or 1(800)432-2045.

Although Governing Board meetings, hearings and workshops 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 any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: For technical issues: Ralph Fanson, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6921 or (561)682-6921, e-mail: fanson@sfwmd.gov; For procedural issues: Jan Sluth, Paralegal, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6299 or (561)682-6299, e-mail: jsluth@sfwmd.gov

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

DEPARTMENT OF VETERANS' AFFAIRS

RULE TITLE: Admission Eligibility RULE NO.: 55-11.005

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to allow an additional method for determining eligibility for admission to the Veterans' Domiciliary Home of Florida.

SUBJECT AREA TO BE ADDRESSED: Eligibility for admission to the Veterans' Domiciliary Home of Florida.

SPECIFIC AUTHORITY: 296.04(2) FS.

LAW IMPLEMENTED: 1.01(14), 296.04(2), 296.06(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT TIME, DATE, AND PLACE TO BE ANNOUNCED SUBSEQUENT TO THE RECEIPT OF A WRITTEN REQUEST.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James W. Sloan, 4040 Esplanade Way, Suite 180, Tallahassee, Florida 32399-7016, Telephone (850)487-1533, or Lyndette Aguirre, 11351 Ulmerton Road, Rm. 311-L, Largo, Florida 33731-8903, (727)518-3214, Extension 514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

55-11.005 Admission Eligibility.

(1) through (5) No change.

(6)(a) The Application for Certificate of Eligibility consists of the following forms which are hereby incorporated by reference.

1. through 4. No change.

5. A legible certified copy of the applicant's Certificate of Release or Discharge from the U.S. Armed Services or a legible copy of a U.S. Department of Veterans' Affairs Hospital Inquiry Screen must also be included.

Specific Authority 296.04(2) FS. Law Implemented 296.02(6), 296.06(2), 296.07, 296.08 FS. History--New 5-29-90, Amended 3-31-94, 10-27-94, 12-27-98,_____.

DEPARTMENT OF VETERANS' AFFAIRS

Division of Veterans' Benefits and Assistance

RULE TITLE: Employment Preference When Numerically Based Selection Process is Not Used RULE NO.: 55A-7.011

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to provide a procedure for insuring that veterans are given special consideration at each step of a public employer's employment selection process, as required by the Joint Administrative Procedures Committee in order to comply with the requirements of Section 295.07(2), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Veterans' preference in employment.

SPECIFIC AUTHORITY: 295.07(2) FS.
LAW IMPLEMENTED 1.01(14), 295.065, 295.07(1), 295.11, 295.123 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT TIME, DATE, AND PLACE TO BE ANNOUNCED SUBSEQUENT TO THE RECEIPT OF A WRITTEN REQUEST.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James W. Sloan, 4040 Esplanade Way, Suite 180, Tallahassee, Florida 32399-7016, Telephone (850)487-1533, or Lyndette Aguirre, 11351 Ulmerton Road, Rm. 311-L, Largo, Florida 33731-8903, Telephone (727)518-3214, Extension 514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

55A-7.011 Employment Preference When Numerically Based Selection Process is Not Used.

- (1) No change.
- (2) Preference in appointment and employment requires that a preferred applicant be given special consideration at each step of the employment selection process but does not require the employment of a preferred applicant over a nonpreferred applicant who is the most qualified applicant for the position.

Granting of an interview is one example of the type of special consideration which may be given to a preferred applicant. If, at any stage of the hiring process, a preference-eligible veteran meets minimum qualifications for an open position, then he or she will advance to the next step in the public employer's selection process. If, at any step in the selection process, a determination is made that the veteran is not qualified to advance to a subsequent step in the selection process, such determination will receive a review at a higher level of management having authority to overturn the initial determination, to ensure whether the determination was correct. In the event of any investigation conducted pursuant to Section 295.11, F.S., the Department of Veterans' Affairs shall require that the agency or political subdivision which is party to such investigation demonstrate how its policies were effectuated at each step of the employment selection process, including why an interview was not provided, in regard to the individual preference-eligible applicant or employee who requested the investigation.

- (3) No change.

Specific Authority 295.07(2) FS. Law Implemented 295.085, 295.11(4) FS. History--New 3-30-88, Formerly 22VP-1.011, Amended 2-12-90, 7-12-93, 12-27-98, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: Application for Acupuncture Certification RULE NO.: 64B2-11.012

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

SUBJECT AREA TO BE ADDRESSED: Application for Acupuncture Certification.

SPECIFIC AUTHORITY: 460.405 FS.

LAW IMPLEMENTED: 460.403, 460.406 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-11.012 Application for Acupuncture Certification Examinations.

(1) Any person licensed or applying for licensure ~~certified by the Board to take the licensure examination~~, who desires to be certified in acupuncture, take the acupuncture certification examination described below, shall apply to the Department of Health.

(2) The applicant is responsible for payment of the appropriate application and licensure fees. The Board shall certify to the Department, as eligible to take the certification examination, only those applicants who have made application, remitted the fee required by Chapter 64B2-12, F.A.C., and who have demonstrated to the Board that, in addition to meeting the requirements of Section 460.406(1) or (2), Florida Statutes, they meet the requirements for the certification examination below.

~~(3) The Board shall certify to the Department, as eligible to take the acupuncture examination, only those applicants who have completed a course of no less than one hundred (100) hours in acupuncture in an institution which is recognized by an accrediting agency approved by the U.S. Department of Education.~~

~~(4) Notwithstanding the above, hours completed to satisfy the requirements of Rule 64B2-13.004, F.A.C., shall not satisfy the requirements of this Rule.~~

Specific Authority 460.405 FS. Law Implemented 460.403, 460.406 FS. History—New 10-6-86, Amended 7-5-87, 2-1-88, Formerly 21D-11.012, 61F2-11.012, 59N-11.012, Amended 2-15-98,_____.

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Acupuncture Certification
RULE NO.: 64B2-11.013

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

SUBJECT AREA TO BE ADDRESSED: Acupuncture Certification.

SPECIFIC AUTHORITY: 456.017(1)(b),(5), 460.405 FS.

LAW IMPLEMENTED: 456.017(1)(b),(5), 460.406(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 IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-11.013 Acupuncture Certification Examination.

(1) The Board ~~designates specifies that~~ the acupuncture certification examination administered by the National Board of Chiropractic Examiners as the examination for Florida licensure. ~~Department of Health shall be a written examination consisting of the following:~~

(2) The acupuncture certification examination shall measure competency in the knowledge of anatomy and physiology of point and point locations, therapeutic and diagnostic acumen, sterile technique, meridian therapy, and the stimulation of various points on or within the body by needle insertion or any other method of stimulation, ~~according to the following approximate weights:~~

Physiology of points	10%
Anatomy of point location	10%
Therapeutic and diagnostic acumen	15%
Theory and application of sterile technique	10%
Meridian therapy	40%
Acupuncture diagnosis	15%

~~(3) A scaled score of 425 shall be required to receive a certification license 75 percent shall be necessary to receive a passing score. An applicant who fails a certification examination shall upon reexamination be required to retake that certification examination.~~

(4) No change.

~~(5) Upon written request from an applicant the Department shall provide a translated version of the acupuncture certification examination into a language other than English. If no such translated examination exists, however, the Department shall require the applicant to pay the cost of the translation before employing translators to perform the task.~~

Specific Authority 456.017(1)(b),(5), 460.405 FS. Law Implemented 456.017(1)(b),(5), 460.406(3) FS. History—New 10-6-86, Amended 1-28-87, 5-10-87, 8-7-88, 7-8-90, 7-15-91, 4-26-93, 7-14-93, Formerly 21D-11.013, 61F2-11.013, 59N-11.013, Amended 2-15-98, 11-19-00,_____.

**DEPARTMENT OF HEALTH
Board of Chiropractic Medicine**

RULE TITLE: Continuing Education During Initial Licensure Period
RULE NO.: 64B2-13.007

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

SUBJECT AREA TO BE ADDRESSED: Continuing Education During Initial Licensure Period.

SPECIFIC AUTHORITY: 456.013(6), 460.405, 460.408 FS.

LAW IMPLEMENTED: 456.013(6), 460.408 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-13.007 Continuing Education During Initial Licensure Period.

During the first twelve months after initial licensure ~~initial biennium of licensure~~, practitioners are required to obtain five hours of continuing education in the subject area of risk management by attending one full day or 8 hours at a Florida Board of Chiropractic Medicine meeting at which disciplinary hearings are conducted as provided in subsection 64B2-13.004(8), F.A.C. Once the hours required by Rule 64B2-13.0045, F.A.C, have been met, licensed practitioners shall not be required to complete any other continuing education requirements during the biennium in which they receive initial licensure.

Specific Authority 456.013(6), 460.405, 460.408 FS. Law Implemented 456.013(6), 460.408 FS. History—New 1-25-88, Formerly 21D-13.007, 61F2-13.007, 59N-13.007, Amended 11-13-01, 5-4-03, _____.

DEPARTMENT OF HEALTH

Family Health Services

RULE CHAPTER TITLE: Family Planning Waiver Program RULE CHAPTER NO.: 64F-19

PURPOSE AND EFFECT: The Department proposes to promulgate a new rule chapter relating to the family planning wavier program and services.

SUBJECT AREA TO BE ADDRESSED: Family planning waiver program.

SPECIFIC AUTHORITY: 120.80(15), 154.011(5), 381.0011(13), 381.0051(7), 383.011(2), 409.919 FS., 42 CFR 491.10.

LAW IMPLEMENTED: 154.011, 381.0051, 383.011, 383.013, 409.9121, 409.9122 FS., 42 CFR 50.303, 42 CFR 59.5, 42 CFR 431.205-246.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Renee Alsobrook, Deputy General Counsel, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A-02, Tallahassee, FL 32399

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

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Fees and Expenses RULE NO.: 6E-4.001

PURPOSE AND EFFECT: The Commission proposes this rule amendment to clarify the fees for licesnure extensions, student transcript searches and what fees are paid annually.

SUMMARY: The proposed rule amendment clarifies the fees for licensure extensions, student transcript searches, application fees, base fees and program fees to be paid annually.

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

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

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS.

LAW IMPLEMENTED: 1005.22, 1005.35, 1005.37, 1005.38 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

6E-4.001 Fees and Expenses.

(1) No change.

(2) Workload Fees. Each Florida location of each institution receives technical assistance from the Commission, along with help in developing and implementing institutional articulation agreements and achieving candidacy status with accrediting agencies; and significant amounts of staff and administrative time are spent on evaluating applications, traveling to institutions for onsite visits, assisting institutions which are experiencing problems with financial aid or financial stability, and making reviews. The following workload fees are assessed in addition to the Base Fee, and must be received prior to Commission consideration of each action.

Initial Application for License, or Moving from Nondegree to Degree:

New Nondegree Institutions	\$ 2,000 + \$ 200
	per program cost of visit
New Degree-Granting Institutions	3,000 + 200
	per program cost of visit

Annual Review of Licensure:

Nondegree Institutions	1,500 + \$50 per program
Degree-Granting Institutions	2,500 + \$50 per program
Review of Extended Annual License or Substantive Change Review	1,000
Licensure by Means of Accreditation, Annually	1,250
<u>Provisional or Annual Licensure Extension (first)</u>	<u>500</u>
<u>Provisional or Annual Licensure Extension (second)</u>	<u>750</u>
<u>Provisional or Annual Licensure Extension (third)</u>	<u>1500</u>
New Program or Program Modifications, Less than Substantive Change or More than One Minor Modification per Year	
Nondegree Programs	500
Degree Programs	500

Site Visits:

- One Visit per YearIncluded in licensure fee
- Subsequent Visits directed by Commission.....Expenses + Costs + 200 per day
- Approval to Use “College” or “University”, First Time or Special Review 500
- Annual Licensure of Recruiting Agents (nontransferable) . 200
- Criminal Justice Information Investigation..... 50
- ~~Student Transcript Search Copy of Student Academic Transcript on File..... 10~~
- (3) Fines and disciplinary oversight:
- Fine for Probation Requiring OversightUp to 5,000 depending on level and length of oversight required
- Continuing Activity after Cease and Desist Letter, Per Day 1,000
- Monitoring Institution under Probable Cause, Per Calendar Quarter 1,000.
- (4) Licensure application fees, base fees and programs fees shall be paid annually.
- (4) through (7) renumbered (5) through (8) No change.

Specific Authority 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS. Law Implemented 1005.22, 1005.35, 1005.37, 1005.38 FS. History—New 1-7-03, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Commission for Independent Education
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission for Independent Education
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 2004

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Contractors – Highway Qualification to Bid	14-22
RULE TITLES:	RULE NOS.:
General Procedural Requirements	14-22.0011
Regulations Covering Qualification of Contractors	14-22.002
Rating the Applicant	14-22.003
Procedure for Qualification and Issuance of Certificate of Qualification	14-22.0041
Period of Validity of Qualification	14-22.005
Suspension, Revocation, or Denial of Qualification	14-22.012
Contractor Non-Responsibility	14-22.0141
Forms	14-22.015

PURPOSE AND EFFECT: The definition of affiliate is being amended to clarify the inclusion of family members of directors and officers. Rule paragraph 14-22.002(1)(h), F.A.C., is amended to include a 30 day provision for the Department to act upon the application for qualification after determining the application is complete. Rule 14-22.003, F.A.C., is amended to include qualification factors in establishing the maximum capacity rating. Rule paragraph 14-22.0041(2), F.A.C., is amended to clarify the language regarding 30 days after the Department determining an application is complete as opposed to “receipt of a complete application.” Rule 14-22.005, F.A.C., is being amended to include provisions for a period of contractor qualification of less than 18 months, based upon an amendment of Section 337.14, Florida Statutes. Rule 14-22.012, F.A.C., is amended to include further clarification regarding suspensions. Subparagraph 14-22.0141(2)(b)1., F.A.C., is being amended to clarify language regarding extending a suspension, revocation, or denial until all required documentation is provided. A revised version of the Contractor Past Performance Report form also is being incorporated by reference under Rule 14-22.015, F.A.C. The proposed amendment has been revised in response to a rule development workshop conducted on January 22, 2004.

SUMMARY: Rules 14-22.0011, 14-22.002, 14-22.003, 14-22.0041, 14-22.005, 14-22.012, 14-22.014, 14-22.0141, and 14-22.015, F.A.C., are being amended. The proposed amendment has been revised in response to a rule development workshop conducted on January 22, 2004.

SPECIFIC AUTHORITY: 334.044 (2) FS.

LAW IMPLEMENTED: 337.16 (2) FS.

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

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

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

TIME AND DATE: 2:00 p.m., April 29, 2004

PLACE: Suwannee Room (Room 250), Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULES IS:

14-22.0011 General Procedural Requirements.

(1) through (4) No change.

(5) Definitions.

(a) The following terms shall have the meanings set forth in Section 337.165, Florida Statutes: “contractor,” “contract crime,” “convicted,” or “conviction,” and “affiliate.”

(b) For matters not involving contract crimes, the term “affiliate” also shall mean business concerns, organizations, or individuals where, directly or indirectly, either one controls or has the power to control the other, or a third party controls or has the power to control both. Indicia of control include interlocking management or ownership, identity of interests among family members, shared facilities and equipment, common use of employees, or a business entity organized following the revocation, denial, or suspension or proposed revocation, denial, or suspension of a contractor which has the same or similar management, ownership, or principal employees as the contractor that was revoked, denied, or suspended or proposed for revocation, denial, or suspension. include those companies which:

- ~~1. Have the same person or entity holding at least five percent ownership interest in both companies.~~
- ~~2. Have a common director(s) or officer(s).~~
- ~~3. Have one company financing the other, or otherwise making financial advances to the other.~~
- ~~4. Have one company subscribing to all the capital stock of the other, or otherwise causing the incorporation of the other.~~
- ~~5. Have one company paying the salaries, expenses, or losses of the other.~~
- ~~6. Have the directors of one company directing the actions of the directors or officers of the other, so that the directors or officers of each company do not act independently of each other.~~
- ~~7. Have one business entity so closely allied with another business entity through an established course of dealings, such as lending of financial assistance or engaging in joint ventures, as to cause a public perception that the two firms are one entity.~~

(c) through (h) No change.

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 120.569, 337.11(3)(b), 337.11(5)(a) 1.- 3., 337.11 (7)(b)1., 337.11(7)(c), 337.14, 337.16, 337.165, 337.167 FS. History—New 11-10-82, Amended 8-25-83, Formerly 14-22.011, Amended 12-20-89, 1-4-94, 7-1-95, 8-6-96, 1-17-99, 7-8-01, _____.

14-22.002 Regulations Covering Qualification of Contractors.

(1) Application for Qualification.

(a) through (g) No change.

(h) In those instances when the Department requests additional information, the Department shall process the application within 30 days after timely receipt of the requested

additional information or correction of errors or omissions. The Department shall act upon the application for qualification within 30 days after the Department determines that the application is complete.

(2) through (4) No change.

Specific Authority 334.044(2), 337.14(1), 337.167 FS. Law Implemented 337.14, 337.164, 337.167 FS. History—Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 9-24-75, Formerly 14-22.01(1),(2),(3), Amended 3-23-79, 11-10-82, 8-25-83, 10-1-85, Formerly 14-22.02, Amended 12-20-89, 6-27-90, 1-4-94, 7-1-95, _____.

14-22.003 Rating the Applicant.

(1) No change.

(2) MCR.

(a) Definition and Formula. The MCR shall be the total aggregate dollar amount of uncompleted work an applicant may have under contract at any one time as prime contractor and/or subcontractor, regardless of its location and with whom contracted. ~~The MCR shall be established is determined~~ by the Department using the following formula, and consideration of general qualification factors listed in subsection 14-22.004(1), F.A.C.:

MCR = AF x CRF x ANW, in which

MCR = Maximum Capacity Rating

AF = Ability Factor (determined from the Ability Score as provided below)

CRF = Current Ratio Factor (determined as provided below)

ANW = Adjusted Net Worth (for rating purpose, determined as provided below).

(a)1. No change.

2. Ability Factor. The Ability Score for new and active applicants shall determine the AF as follows:

Ability Score	AF
64 or less	1
65-69	2
70-73	3
74-76	4
77-79	5
80-84	8
85-89	10
90-93	12
94-97	14
98-100	15

a. Notwithstanding the requirements in paragraph Rule Sections 14-22.003(2)(a), and subparagraphs 14-22.003(2)(a)1.a., 1.b., 1.c., 1.d., and subparagraphs 14.22.003(2)(a)2., F.A.C., above, the AF will be limited to a maximum of 4; if the applicant receives an ability score of 76 or less on the initial application, or receives an ability score of 76 or less on two or more Prime Contractor Past Performance Reports on file for projects completed during the 12 month period preceding the applicant’s fiscal year ending date for

which the Certificate of Qualification is being issued, unless the applicant's average ability score (inclusive of all scores received during the period) is 87 or greater. The use of a surety commitment letter to raise the MCR is prohibited ~~under this limitation.~~

b. This AF limitation will remain in effect during the current qualification period.

(b) through 2. No change.

3. Except for the provisions of Rule Section 14-22.003(2)(a)2.a., F.A.C., above, use of a surety commitment letter to increase an applicant's MCR will only be considered if at the time of application the applicant's CRF is at least 1.00, as defined in subparagraph 14-22.003(2)(a)3., F.A.C., and the applicant has an Ability Score of 80 or higher. No event(s) during the qualification period subsequent to the ending date of the audited financial statements used for qualification will be considered in determining an applicant's CRF. However, the Department will consider the general qualification factors listed in Rule subsection 14-22.004(1), F.A.C., in consideration of an increase to the applicant's MCR through the use of a surety commitment letter.

(3) No change.

Specific Authority 120.53(1)(a), 334.044(2), 337.14(1) FS. Law Implemented 337.11(3)(b), 337.11(5)(a) 1.-3., 337.11 (7)(b)1., 337.11(7)(c), 337.14, 337.167 FS. History--Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 9-24-75, Formerly 14-22.01(4), Amended 3-23-79, 11-10-82, 8-25-83, 1-9-84, 10-1-85, Formerly 14-22.03, Amended 12-20-89, 4-22-92, 1-4-94, 7-1-95, 7-2-95, 7-8-01,_____.

14-22.0041 Procedure for Qualification and Issuance of Certificate of Qualification.

(1) No change.

(2) Certificate of Qualification.

(a) Within 30 days after the Department determines an application for qualification is receipt of a complete application for qualification, ~~the Department shall examine the application and grant a Certificate of Qualification, or issue an intent to deny the application.~~

(b) No change.

(3) No change.

Specific Authority 334.044(2), 337.14(1), 337.164, 337.165, 337.167 FS. Law Implemented 120.53(1)(a), 120.57, 120.62, 337.14, 337.164, 337.165, 337.167 FS. History--New 11-10-82, Amended 8-25-83, 10-1-85, Formerly 14-22.041, Amended 12-20-89, 1-4-94, 7-1-95,_____.

14-22.005 Period of Validity of Qualification.

(1) The applicant's period of qualification shall ~~be 18 not exceed 16~~ months from the ending date represented by ~~of the audited annual financial statements or audited interim financial statements~~ included in the application. For good cause, the Department will approve a period of qualification less than 18 months. Prior to expiration of such period of qualification less than 18 months, the Contractor may request an extension of the period of qualification to 18 months, to which the Department will respond within 30 days of the request. An applicant must submit a new application 30 days prior to the expiration of its

~~their~~ current Certificate of Qualification to ensure no interruption in ~~its their~~ qualification to bid. The Certificate of Qualification shall expire no later than the expiration date of the certificate, regardless of whether or not a hearing has been requested concerning the Department's action on the application. Submission of an application shall not affect expiration of the Certificate of Qualification.

(2) Qualified applicants in good standing shall be notified of the impending deadline date for submittal ~~expiration~~ of their application for qualification at least 45 days prior to that before the expiration date. Failure of notification shall not affect the deadline date for submittal of applications for qualification.

(3) through (4) No change.

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 337.14, 337.164 FS. History--Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 9-24-75, Formerly 14-22.01(7), Amended 3-23-79, 11-10-82, 8-25-83, 10-1-85, Formerly 14-22.05, Amended 12-20-89, 1-4-94,_____.

14-22.012 Suspension, Revocation, or Denial of Qualification.

(1) The Department will, for good cause, suspend, revoke, or deny any contractor's qualification to bid. A suspension, revocation, or denial for good cause pursuant to this rule shall prohibit the contractor from bidding on any Department construction contract for which qualification is required by Section 337.14, Florida Statutes, shall constitute a determination of non-responsibility to bid on any other Department construction or maintenance contract, and shall prohibit the contractor from acting as a material supplier or subcontractor on any Department contract or project during the period of suspension, revocation, or denial. As provided in Section 337.16(2), Florida Statutes, such good cause shall include, but shall not be limited to, the provisions of paragraphs (a) and (b) below. When a specific period of revocation, denial, or suspension is not specified by this rule, the period shall be based on the criteria set forth in Rule subsection 14-22.0141(2), F.A.C.

(a) The contractor's Certificate of Qualification shall be suspended, revoked, or denied for at least one year when it is determined by the Department that any one of the following has occurred:

1. One of the circumstances specified under Section 337.16(2)(a), (b), (d), or (e), Florida Statutes, has occurred.

2. Affiliated contractors submitted more than one proposal for the same work. In this event the Certificate of Qualification of all of the affiliated bidders will be revoked or denied. All bids of affiliated bidders will be rejected.

3. The contractor made or submitted to the Department false, deceptive, or fraudulent statements, certifications, or materials in any claim for payment or any information required by any Department contract, including the Certification of Current Capacity to the Department.

4. The contractor defaulted on any contract, or a contract surety assumed control of financial responsibility for, any contract of the contractor.

(b) A contractor's Certificate of Qualification shall be suspended, revoked, or denied for a period of 90 days upon a first occurrence, 180 days upon a second occurrence within three years of the first occurrence, or one year upon a third occurrence within three years of the first occurrence, when it is determined by the Department that one of the following has occurred:

1. The contractor failed to timely furnish all contract documents required by the contract specifications or special provisions, or by any state or federal statutes or regulations. If the contractor fails to furnish any of the subject contract documents by the expiration of the period of suspension, revocation, or denial set forth above, the contractor's Certificate of Qualification shall remain suspended, revoked, or denied until the documents are furnished by the contractor.

2. The contractor failed to register, pursuant to Chapter 320, Florida Statutes, all motor vehicles operated in this state.

3. The contractor failed to notify the Department's Contracts Administration Office within 10 days of the contractor or any of its affiliates being declared in default or otherwise not completing work on a contract, or being suspended from qualification to bid or denied qualification to bid by any other public agency, semi-public agency, or private entity. This suspension will be in addition to any period of denial or revocation resulting from violation of (a) above.

(2) through (6) No change.

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 334.044(27), 337.11, 337.14, 337.16, 337.165, 337.167 FS. History—Formerly Chapter 14-8, Amended 7-1-67, 8-20-68, 5-9-70, 1-6-72, 9-24-75, Formerly 14-22.01(11), Amended 3-23-79, 11-10-82, 8-25-83, 10-1-85, Formerly 14-22.12, Amended 12-20-89, 1-4-94, 7-1-95, 7-2-95, 2-16-99, 7-8-01,_____.

14-22.0141 Contractor Non-Responsibility.

(1) No change.

(2) Determination of Contractor Non-Responsibility. The Contractor will be determined to be non-responsible and ineligible to bid on Department contracts for a period of time, based on the seriousness of the deficiency.

(a) Examples of factors affecting the seriousness of a deficiency are:

1. Impacts on project schedule, cost, or quality of work;
2. Unsafe conditions allowed to exist;
3. Complaints from the public;
4. Delay or interference with the bidding process
5. The potential for repetition;
6. Integrity of the public construction process; and
7. Effect on the health, safety, and welfare of the public.

(b) This rule does not limit the Department's ability to reject a bid submitted by a contractor, or cancel an award, for a particular contract based upon the contractor being non-responsible.

(3) No change.

Specific Authority 334.044(2) FS. Law Implemented 337.16(2) FS. History—New 4-11-95, Amended 12-7-97, 7-8-01,_____.

14-22.015 Forms.

The following forms are incorporated by reference as part of the rules of the Department and are available from the Contracts Administration Office, 605 Suwannee Street, Mail Station 55, Room 1-B, Tallahassee, Florida 32399-0455:

Form Number	Date	Title
375-020-32	12/98	Application for Qualification
375-020-21	10/93	Status of Contracts on Hand
375-020-22	08/00	Certification of Current Capacity
700-010-25	<u>11/03</u> 03/04	Contractor Past Performance Report

Specific Authority 334.044(2), 337.14(1) FS. Law Implemented 120.53(1)(b), 337.14, 337.167 FS. History—New 11-10-82, Amended 8-25-83, Formerly 14-22.15, Amended 12-20-89, 1-4-94, 7-1-95, 7-2-95, 7-8-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anath Prasad, Director, State Construction Office

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

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

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Airport Licensing, Registration, and Airspace Protection
 RULE CHAPTER NO.: 14-60

RULE TITLES: Purpose, Definitions, and Designation of Signature Authority
 RULE NOS.: 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.

SUMMARY: 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, 333.065 FS.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory cost has been prepared.

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

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

TIME AND DATE: 10:00 a.m., April 29, 2004

PLACE: Suwannee Room (Room 250), 605 Suwannee Street, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULES IS:

AIRPORT LICENSING, REGISTRATION, AND AIRSPACE PROTECTION

14-60.003 Purpose, Definitions, 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 "Heliport" 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 Federal Aviation Administration (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, heli-stop, seaplane base, STOLport, LTAport, vertiport, verti-stop, 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 subsection 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. Additionally, all Department actions regarding the application for issuance of airspace obstruction permits shall be in accordance with Chapters 120 and 333, 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 330.30, 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)(e), F.S., 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 the 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 notification was provided 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 paragraphs 14-60.005(5)(a)-(m), F.A.C., 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 subparagraphs 14-60.005(9)(a)1.-5., F.A.C., 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 heliport or helistop.

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., F.A.C., 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~~

(III) ~~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)(e), 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 in a format and manner prescribed by the Department. 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 is authorized to 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 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)(e)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 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.

(b) 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.

(b) 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, that is to be used by an aircraft of any weight, and that has 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, that is to be used by an aircraft that weighs less than or equal to 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs less than or equal to 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an ultralight aircraft, and that has 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 that has 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. Helicopter 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, that is to be used by an aircraft of any weight, and that has 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, that is to be used by an aircraft that weighs less than or equal to 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs less than or equal to 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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 with an ultralight aircraft and that has 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 that has 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, that is to be used by an aircraft of any weight, and that has a visual landing approach: the transition surface is not applicable.

b. For a runway that is paved, that is to be used by an aircraft that weighs less than or equal to 12,500 pounds, and that has a visual landing approach: the transition surface is not applicable.

c. For a runway that is paved, that is to be used by an aircraft that weighs less than or equal to 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has a visual landing approach: the transition surface is not applicable.

e. For a runway that is paved, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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, that is to be used by an aircraft that weighs greater than 12,500 pounds, and that has 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 with an ultralight aircraft and that has 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 that has 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 ration is 7:1, which extends horizontally for a distance of 35 feet.

Table 2
Licensed Airports Landing and Surface Areas

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

(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.)

(c) 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. Coefficient of friction 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.

Table 4
Licensed Airports Pavement Coefficient of Friction

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
	<u>Mu Meter</u>	<u>0.42</u>	<u>0.52</u>	<u>0.72</u>	<u>0.26</u>	<u>0.38</u>
<u>K. J. Law Runway Friction Tester</u>	<u>0.50</u>	<u>0.60</u>	<u>0.82</u>	<u>0.41</u>	<u>0.54</u>	<u>0.72</u>
<u>Airport Equipment Company Skiddometer</u>	<u>0.50</u>	<u>0.60</u>	<u>0.82</u>	<u>0.34</u>	<u>0.47</u>	<u>0.74</u>
<u>Airport Surface Friction Tester</u>	<u>0.50</u>	<u>0.60</u>	<u>0.82</u>	<u>0.34</u>	<u>0.47</u>	<u>0.74</u>
<u>Airport Technology USA Safegate Friction Tester</u>	<u>0.50</u>	<u>0.60</u>	<u>0.82</u>	<u>0.34</u>	<u>0.47</u>	<u>0.74</u>
<u>Findley, Irving, LTD Gripmaster Friction Meter</u>	<u>0.43</u>	<u>0.53</u>	<u>0.74</u>	<u>0.24</u>	<u>0.36</u>	<u>0.64</u>
<u>Tatra Friction Tester</u>	<u>0.48</u>	<u>0.57</u>	<u>0.76</u>	<u>0.42</u>	<u>0.52</u>	<u>0.67</u>
<u>Norseman RUNAR (Operated at Fixed 16% Slip)</u>	<u>0.45</u>	<u>0.52</u>	<u>0.69</u>	<u>0.32</u>	<u>0.42</u>	<u>0.63</u>

(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 Improvements for Licensed Airports. All licensed airports shall comply with items (a) through (f), below. Licensed airports 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) 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) 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. Limited category ultralight landing areas shall be at least 250 feet in length and have at least 75 feet of usable surface width.

(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.~~

(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.

(g) 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," 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. Markers 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-feet 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 3 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 1 foot wide.

(j) FATO. FATO perimeters shall be defined with white dashed lines, which shall be 1 foot wide and 5 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 70/7460-1H, (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> (10/96)	Airspace Obstruction Permit Application
725-040-12	<u>(02/04)</u> (10/96)	Airport Site Approval and License Application
725-040-13	(10/96)	Airport License Renewal Application

Copies of these forms may be obtained by downloading from the FDOT Aviation Office website at <http://www.dot.state.fl.us/aviation/> or 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, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard C. Null, Aviation Operations Administrator

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ysella Llort, Acting Assistant Secretary for Intermodal Systems Development, for José Abreu, P.E., Secretary

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

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Construction Aggregates	14-103
RULE TITLES:	RULE NOS.:
Scope	14-103.001
Purpose	14-103.002
Definitions	14-103.003
Source Approval Requirements	14-103.004

Supplemental Source Requirements for Alternate Open-Graded Friction Course (FC) Aggregate	14-103.005
Quality Control Program	14-103.006
Approval Levels	14-103.007
Source and Product Certification Systems	14-103.0071
Producer Initiated Status Change	14-103.008
Suspension, Revocation, Expiration, or Denial of Source Approval	14-103.009
Producer Non-Responsibility	14-103.0091
Emergency Action	14-103.010
Sampling and Testing Methods	14-103.011
PURPOSE AND EFFECT: Rule Chapter 14-103, F.A.C., is being amended.	

SUMMARY: Rule Chapter 14-103, F.A.C., is being substantially amended, including the repeal of two rules and adoption of two new rules. The rule chapter title is revised.

SPECIFIC AUTHORITY: 334.044(2),(10)(c) FS.

LAW IMPLEMENTED: 334.044(10),(13), 337.105(1), 337.11, 337.164 FS.

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

14-103.001 Scope.

This rule chapter provides the requirements and procedures for obtaining and maintaining Department approval of developed and operational construction mineral aggregate sources (mines and redistribution terminals) and their individual construction aggregate products which are intended ~~to be the source of specific construction aggregates~~ for use on Department projects. Department approval is based upon the existence of suitable raw materials; processing facilities capable of producing specified aggregate meeting Department specification requirements; and an effective Quality Control Program assuring the continuing quality and uniformity of that production. ~~This source approval recognizes the existence of suitable raw materials; processing facilities capable of producing specified aggregate meeting Department specification requirements; and an effective Quality Control Program assuring the continuing quality and uniformity of that~~

~~production. Source approval for specific aggregates is the initial step in the Department's method of acceptance of aggregate for use on Department projects.~~

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended _____.

14-103.002 Purpose.

(1) ~~This rule chapter sets out a standardized method for producers of construction aggregates to apply for, receive, and maintain Department approval of construction aggregate sources for use on Department projects. Source and product approval, and maintenance of an on-going effective Quality Control Program, as monitored by the Department's Quality Assurance procedures, the Department to approve sources for specific aggregates through a producer Quality Control Program (QCP). The Department's procedures for source approval and Quality Assurance, at the source and/or at the point of use or project, comprise the Department's primary methods of determining acceptability of accepting aggregate for use on Department projects.~~

(2) A Quality Control Program requires producers of construction materials to be responsible for their products; to establish, maintain, and implement their own individualized process control system; and to certify to the Department compliance of their product with applicable standards and contract specifications.

(3) Approval of a source by the Department and implementation of a Quality Assurance Program by the Department does not relieve the producer of the responsibility for compliance with the Quality Control Program or shipping aggregate which meet specifications. Contractors are also responsible for transporting and handling aggregate in a manner which will preclude significant variation in the properties of the aggregate. The Department reserves the right to test all aggregate at the point of use or at the project site to determine acceptability for use according to contract specifications.

~~(4) Nothing in this rule chapter is intended to prohibit the evaluation and approval of any operation not specifically covered within this rule, that in the opinion of the Department, complies with the criteria set forth in this rule.~~

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended _____.

14-103.003 Definitions.

~~As used in this rule chapter, the term: The following words and phrases, as used in these rules, shall have the following meaning, except where the context clearly indicates a different meaning:~~

(1) "Addendum" means an approved revision to a written Quality Control Program. Addenda are in the form of an updated "record of changes" page, and the appropriate

replacement page(s) modifying existing sections of the Quality Control Program submitted under cover letter for review and approval by the Department.

(2) "Affiliate" means the same as defined in Section 337.165, Florida Statutes.

(3)(4) "Aggregate" means a granular construction mineral material such as sand, limerock, limestone, gravel, shell, slag, and crushed stone; manufactured materials such as expanded shales, slates, and clays; and recycled materials such as and crushed concrete, used as a component of mortars, concrete, or bituminous mixtures, or used alone as a base or sub-base courses, as a stabilizing material for base or subgrade, or as a loose assemblage for drainage, foundation, shore protection, bank protection, water barrier, filter material, bedding purposes, or for other construction materials and uses not yet developed, but which may have potential usage by the Department.

(4) "Certify" means that the producer affixes the statement "CERTIFIED FOR FDOT" or "CERT. FOR FDOT" to a shipping ticket to attest that this specific aggregate shipment was produced and shipped under a Department approved Quality Control Program and for which Quality Control tests indicate that the specific aggregate meets Department specifications and Department quality and uniformity requirements set out in Section (II)(B) of the *Construction Aggregate Manual*.

(5) "*Construction Aggregate Manual*" means the Department's manual entitled *Construction Aggregate Manual*, March 2004, prepared by the Department's Aggregate Control Unit, which prescribes standardized methods of outlining the limits and frequencies for Quality Control sampling and testing of construction aggregates and material quality criteria for Department approval levels, which is incorporated in this rule chapter by reference.

(6) "Contract Crime" means the same as defined in Section 337.165, Florida Statutes.

(7) "Convicted" or "Conviction" means the same as defined in Section 337.165, Florida Statutes.

(8)(2) "Department" means the Department of Transportation.

(9)(6) "Direct Shipment" means a specified quantity of material shipped and certified in its entirety from an approved Type I, Type II, or Type IV source to a single point of use, or a location or conveyance controlled by and identified by the end user in its Department approved Quality Control Program.

(11)(3) "Independent Assurance Program (IAP)" Samples" or "IAS" means an independent evaluation of all the sampling and testing procedures used in the Quality Control Program and the Department's Quality Assurance Program. The Department will administer the IAP using personnel that do not otherwise have direct responsibility for the specific functions under review, samples and tests performed by Department personnel who do not normally have direct

~~responsibilities for Quality Control or Quality assurance sampling and testing. They are used for the purpose of making independent checks on the reliability of the QC-QA program, and are not used for determining the quality and acceptability of aggregate.~~

~~(8)(4) "Instructions for Coding of Aggregate Test Data for Computerization" means the Department's manual of directions for completing standardized forms for the recording of aggregate test data and listing of the Department's aggregate codes, Instructions for Coding of Aggregate Test Data for Computerization, prepared by Aggregate Control Unit July 1989, which is incorporated in this rule chapter by reference herein.~~

~~(5) "LBR" means Limerock Bearing Ratio, a quality test for base and sub-base materials.~~

~~(9)(6) "Lot" means an isolated quantity of a specified aggregate produced from a single source from in a single process operation.~~

~~(10)(7) "Lot-size" means a quantity of a specified material produced in a specified time period.~~

~~(a) The number of test results to be analyzed for compliance shall be the number of samples established by the Construction Aggregate Manual, but not to include results more than one calendar year old. For purposes of determining QC sampling frequencies, the data base lot size shall be the most recent 30 test results available, but not to include results more than one calendar year old.~~

~~(b) The time period for which frequencies will be assigned shall be as specified in the Construction Aggregate Manual. For purposes of assigning QC sampling frequencies, the basic lot size for which frequencies will be assigned, is one calendar week. However, for materials which exceed minimum specification requirements consistently, the lot size may be increased in increments to a maximum of one calendar month.~~

~~(c) For purposes of material control, a lot shall consist of all materials of a specified grade or type that are produced over the time period specified in (b), above, from a single process at a mine, or received at a redistribution terminal, and are represented by test results obtained in accordance with assigned sampling frequencies. Lots that are to be evaluated and/or disposed of separately must be kept physically separated and distinct from other lots and material. For purposes of material acceptance, a lot size shall consist of all materials of a specific grade or type produced during one calendar week (Monday through Friday).~~

~~(11)(8) "Manual of Florida Sampling and Testing Methods" means the Department's manual of standardized methods of sampling and testing of aggregates entitled "Manual of Florida Sampling and Testing Methods," which can be found on the World Wide Web (Internet) at <http://www11.myflorida.com/statematerialsoffice/QualitySystems/fs/tm/fstm.htm>, and (Topic No.: 675-050-027-e), as supplemented by the April 1997, version of Florida Method of~~

~~Test FM 1-T 084 and Florida Method of Test FM 1-T 085, which is incorporated in this rule chapter by reference herein. If a dispute arises, the test methods that were in force at the time of the project letting date shall control for point of use acceptance of any aggregate products used on a specific project.~~

~~(9) "Mineral Aggregate Manual" means the Department's manual entitled "Mineral Aggregate Manual, April 1997, Edition," prepared by the Department's Aggregate Control Unit, which prescribes standardized methods of outlining the limits and frequencies for Quality Control sampling and testing of mineral aggregates and material quality criteria for Department approval levels, which is incorporated herein.~~

~~(12) "Origin" means a single location serving as a recognized supply of raw material for subsequent processing by a Department-approved Type IV source.~~

~~(13) "Origin Number" means a unique number assigned by the Department to a location serving as a recognized supply of raw material for identification purposes. The origin number is the property of the Department, and is non-transferable.~~

~~(14)(10) "Point-of-Production" means any physical operation, not including redistribution terminals, involved with removing and processing material from the earth or involved with processing material for use as aggregate, and shall be described as a mine.~~

~~(15)(11) "Point-of-Use" refers to that point where the aggregate is incorporated into the project (i.e., project site, asphalt or concrete plant, etc.).~~

~~(16)(12) "Producer" means any business or individual seeking to supply aggregate to the Department or contractors of the Department. The producer must have legal rights to mine the aggregate and must be responsible for the mining (where applicable), processing, quality control, stockpiling, load-out, and certification of the aggregate. Evidence of the mining rights of the producer shall be provided.~~

~~(17)(13) "Product" means a type, grade, or Department code of aggregate from a single process.~~

~~(18)(14) "Quality Assurance" or "QA" means the Department's management method of evaluating the effectiveness of the producer's Quality Control Program including the use of verification QA samples and test results, the IAP, and source inspections to monitor the quality, uniformity, and acceptability of aggregate.~~

~~(19)(15) "Quality Control" or "QC" means the producer's management method of controlling and making adjustments to mining materials processing techniques, and materials handling, stockpiling, and load-out, including the use of QC samples and tests and other available information to establish and maintain the specified quality and uniformity of a product.~~

~~(20)(16) "Quality Control Program" or "QCP" means the over-all system developed and used by a producer that ensures that a product will meet specified quality standards, including documentation supporting its effectiveness.~~

~~(21)~~(17) “Recycled Material Processing Site” means any physical operation involved with processing previously used or manufactured material for reuse as aggregate, not to include recycled asphalt pavement (RAP); ~~and is treated as a mine by the Department. Such a site is treated as a source by the Department.~~

~~(22)~~(18) “Redistribution Terminal” means a physical operation at a fixed location, not including the point-of-production, where aggregates are received from one or more approved sources, recombined from discrete haul units into common storage units, then redistributed for resale to more than one point of use ~~mines for redistribution for use on Department projects.~~

~~(23)~~(19) “Source” means a physical location including mines, recycled material processing sites, and redistribution terminals, which has aggregate.

~~(24)~~ “Source Number” means a unique number assigned by the Department to a source for identification purposes. The source number is the property of the Department, and is non-transferable.

~~(25)~~ “Split Sample” means a representative portion of aggregate collected for testing purposes that is subdivided into two or four approximately equal sub-portions.

~~(26)~~ “Verification Sample” means a sample collected by the Department or its designated agent for testing purposes to validate the quality of an aggregate product.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended 11-3-97, _____.

14-103.004 Source Approval Requirements.

(1) A letter requesting source approval for specific aggregates shall be sent to the State Materials Engineer, Gainesville, Florida, and shall include:

(a) ~~The producer’s QCP Quality Control program.~~ The evaluation and acquisition of a deposit shall be the responsibility of the producer. During initial preparation, the producer must formulate and implement a QCP Quality Control Program meeting the requirements of Rule 14-103.006, F.A.C. The QCP program must be individualized for each source based on the deposit characteristics, mining and processing and rehandling techniques, and initial test data or past performance. ~~The QC program must be submitted in writing to the State Materials Engineer for approval.~~

(b) Product Identification. The producer must identify the specific product(s) for which source approval is sought, establish that the identified product(s) meet Department standards and requirements, and establish process control of each product through sampling and testing. The producer must be able to demonstrate each product’s quality and degree of control to the Department’s satisfaction. The specific type and minimum number of tests required to establish quality and degree of control of each product is found in ~~Section-~~ (I)(A) of the Construction Mineral Aggregate Manual.

(c) ~~Test Data.~~ Test Data submitted by the producer to the Department must indicate that each product from a single process meets the Department’s quality and uniformity requirements for Department specifications as provided given in ~~Section-~~ (II)(A) of the Construction Mineral Aggregate Manual. The minimum testing and sampling requirements of ~~Section-~~ (I)(A) of the Construction Mineral Aggregate Manual must be met upon application for approval by the producer. Subsequent requests for product approval must meet the requirements of subsection 14-103.0071(3), F.A.C.

(2) Continuing approval is contingent upon the effectiveness of the producer’s QCP Quality Control Program as evidenced by the quality and uniformity of the product(s) in accordance with ~~Section-~~ (II) of the Construction Mineral Aggregate Manual.

(3) It shall be the responsibility of the producer to ensure that all conditions of the QCP Quality Control Program are met ~~and complied with.~~

(4) All sources must pass initial on-site inspection by the Department, and subsequent monitoring and inspections, to verify compliance with this section and Rule 14-103.006, F.A.C. (QCP): Verification sSamples will may be obtained by the Department to monitor the effectiveness of the producer’s QCP as a check for correlation with samples submitted by the producer.

(5) The producer shall identify the means that will be used to certify its aggregate shipments. The producer shall certify each individual conveyance of aggregate intended for use on Department projects, unless the Department provides a written waiver of this requirement. Certifications must be made at time of shipment and be provided to the end user or Redistribution Terminal at time of delivery. A copy of each type of certification shall be included in the QCP. The following information must appear on each document (shipping ticket) used to certify or transmit certification of aggregate for Department use, regardless of mode of transport: Each individual shipment, of aggregate intended for usage on Department projects, by whatever mode of transport, must be certified by the producer as being produced under their QC program and meeting all applicable specifications. The following information must appear on each certification document (ticket or bill of lading):

(a) Department Source Numbers (Mine Number and/or Terminal Number) and Origin Number, where applicable. FDOT Mine Number and/or Terminal Number.

(b) Date.

(c) Quantity, ~~a~~Aggregate description and corresponding Department material code (from the Instruction For Computer Coding of Aggregate Test Data).

(d) Producer Ticket Number, which must be sequential for each individual source certifying the material.

(e) The statement "CERTIFIED FOR FDOT" or "CERT. FOR FDOT" is to be placed only on those shipping tickets for specific aggregates that the producer certifies were produced under a Department approved ~~QCP Quality Control Program~~ and for which ~~QC Quality Control~~ tests indicate that the specific aggregate meets quality and uniformity requirements set out in Section- (II)(B) of the *Construction Mineral Aggregate Manual*. Certification shall be made at time of shipment when the quantity of material is recorded on the shipping ticket.

(f) Aggregate for which known test results indicate non-compliance with specifications shall not be certified.

(g) The statement "DIRECT SHIPMENT CERT. FOR FDOT FROM MINE" is to be placed only on Redistribution Terminal shipping tickets used to deliver direct shipments of certified material through a Redistribution Terminal without additional testing in accordance with the following provisions:

1. The Redistribution Terminal must list this alternative method of delivery in its QCP and maintain at least one of its products on the full certification system.

2. The Redistribution Terminal must have on record written documentation that the specific end-user has identified this method of delivery in its QCP.

3. A direct shipment stored at a Redistribution Terminal shall be identified as to end-user and be kept isolated from other material.

4. The Redistribution Terminal must abide by storage, handling, and load-out procedures as described in its QCP.

5. The Redistribution Terminal must notify the Department by facsimile or electronic mail of the receipt of direct shipments.

6. The shipping ticket shall reference the producer ticket number (bill of lading) from the mine.

7. The statement "CERTIFIED FOR FDOT" or "CERT. FOR FDOT" shall not be used for direct shipments.

(6) Source Classifications. These classifications are based on the Department's ability and resources. In circumstances that preclude the Department's ability to perform its QA function at the source, the Department reserves the right to change a source classification with a minimum of one a month's notice given to the producer.

(a) Mines may be located in-state, out-of-state, or out-of-country.

1. Type I Mines are those mines located within Florida, and those out-of-state mines which are a one-way distance of less than 200 miles a half-day (four hours) travel by roadway automobile from a Department District Materials Office. ~~These mines will be inspected weekly by the Department.~~ The mine may make direct shipments for use on ship directly to Department projects or make shipments for subsequent testing and re-certification by approved Redistribution Terminals or re-processing, testing, and certification by Type IV Mines, self certifying each shipment.

2. Type II Mines includes out-of-state mines, which are between 200 and 400 miles more than a one-way distance of a half-day's (four hours) travel by roadway automobile from a Department District Materials Office ~~but are within an overnight's trip range.~~ ~~These mines will be inspected quarterly by the Department.~~ The mine may make direct shipments for use on ship directly to Department projects or make shipments for subsequent testing and re-certification by approved, or Redistribution Terminals or re-processing, testing, and certification by Type IV mines, self certifying each shipment. ~~QA samples will be obtained at the point of use or redistribution terminal.~~

3. Type III Mines includes out-of-state (and out-of-country) mines which are more than 400 miles a one-way distance of a day's (eight hours) travel by automobile or cannot be accessed by automobile from a Department's District Material Office. The mine may not make direct shipments for use on Department projects. The mine may make shipments for Department use only for subsequent testing and re-certification by approved Redistribution Terminals or re-processing, testing, and certification by Type IV Mines. ~~Shipments may only be made to Redistribution Terminals self certifying each shipment. The mine will be monitored at the redistribution terminal.~~ These mines must provide their QC test data substantiating their compliance with Section (II)(B) of the Construction Aggregate Manual, prior to a Redistribution Terminal shipping any of its material for Department use, even if the Redistribution Terminal has completed its own testing mine numbers, material identifications and QC test data for each shipment to a Terminal. ~~These mines will be inspected annually by the Department, with inspections of out-of-country mines being at the producer's expense.~~

4. Type IV Mines are those mines located within Florida that receive and process their raw (or partially processed) material from other sources or origins. Only one origin or source of material may be used to produce any single product. The producer (Type IV Mine) must obtain notarized documentation of the origin of each shipment of raw material used in its production. The producer shall supply a report certified under the requirements of Chapter 492, Florida Statutes, that aggregates in the origin are free of deleterious materials in accordance with all applicable Department specifications. Material certification from approved sources will be accepted to establish suitability of the raw or partially processed material; however, the producer shall be responsible for final processing and testing of each individual product. Type IV Mines receiving raw material from other than approved sources shall confirm the acceptability of the physical, chemical, and mechanical properties prior to final processing and certification of the material. The producer may make direct shipments for use on Department projects and/or make shipments for subsequent testing and re-certification by approved Redistribution Terminals. Certification by the producer will require both the source and origin numbers. A

Type IV Mine may seek dual status as a Redistribution Terminal. In such cases, the Department will issue separate source numbers and the producer will be required to keep functions of the two sources separate and distinct.

(b) Redistribution Terminals may ~~only~~ be located in state in state, or out of state if they are a one-way distance of less than 100 miles travel by roadway from a Department District Materials or Branch Office with the exception of those presently approved as of the date of the original adoption of this rule chapter. Redistribution Terminals may receive shipments for testing and re-certification from all approved sources. Prior to re-certifying the material for Department use, the Redistribution Terminal must perform additional QC tests for those aggregate characteristics subject to change due to handling, shipping, stockpiling, or other actions affecting aggregate characteristics. The Redistribution Terminal shall also perform additional QC tests as required by the Construction Aggregate Manual for material received from Type III Mines. Re-certification by the terminal will require both the Source Numbers (terminal and mine) and the origin number, if applicable. Redistribution Terminals may re-certify products to Department projects, end-users, Type IV Mines, or other Redistribution Terminals. Redistribution Terminals may also deliver direct shipments of certified material from Type I, Type II, or Type IV Mines without additional testing subject to the provisions of paragraph 14-103.004(5)(f), F.A.C. Approval of the terminal and the Quality Control Program at the terminal will be required, and the Department will assign a Terminal number. Material certification by the mine will be accepted; however, additional Quality Control tests for those aggregate characteristics subject to change due to handling, shipping, stockpiling, or other actions affecting aggregate characteristics, will be required at the time of reshipment from the terminal. Additional L.A. ("Los Angeles") Abrasion and Soundness QC tests will be required for materials from Type III mines. Certification by the terminal of materials for Department usage will require both mine and terminal numbers. These terminals will be inspected weekly by the Department.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended 10-22-02,_____.

14-103.005 Supplemental Source Requirements for Alternate Open-Graded Friction Course (FC-2) Aggregate.

Approval may be sought for coarse aggregate use in open-graded Friction Course (FC-5 ~~2~~) not specifically mentioned by name in the Department's Standard Specifications for Road and Bridge Construction. The following approval requirements are in addition to the requirements of Rule 14-103.004, F.A.C., for such alternate materials having characteristics which will result in a friction course providing acceptable long-term frictional

characteristics. Once approved, coarse aggregate may be submitted in all Department friction course mixes subject to specification requirements.

(1) A detailed description of the location within the overall mining site of the specific deposit proposed for use in an FC-5, ~~open graded friction course~~ and a description of the unique characteristics of this deposit which can be used to differentiate it from other material occurring at the site. These characteristics will include such things as color, texture, hardness, physical or chemical properties, and other properties determined in accordance with the *Manual of Florida Sampling and Testing Methods* or in accordance with paragraph 14-103.006(14)(c), F.A.C. ~~other recognized testing procedures in accordance with ASTM C295-85.~~

(2) An estimate of the quantity of material available.

(3) A determination of the acid insoluble material retained on the No. 200 mesh sieve (FM 5-510) must be submitted on at least five samples.

(4) Submission of any test data which the producer considers significant to potential friction characteristics, such as wear tests, hardness, crushed faces, angularity, and other relevant characteristics.

(5) The construction of a trial section of FC-5 pavement from the material will be required prior to a test section evaluation of the material as deemed necessary by the State Materials Office based on history of use and performance. The construction of the FC-5 trial section will be the sole responsibility of the producer. The State Materials Office will design the mix, monitor construction, obtain samples for evaluation, and test the friction characteristics of the surface. The trial section will be a minimum of 500 feet in length to accommodate friction testing, and shall be constructed on a roadway not maintained by the Department. No minimum traffic volume will be required for approval of trial sections.

(6) The information supplied by the producer, the inspection of the mine, and any ~~the~~ test results from a trial section (when required) will be reviewed by the State Materials Office. If the material indicates a potential for use in an FC-5 ~~open graded friction course (FC-2)~~, the producer will be notified and a test section will then be selected by the producer for Department evaluation of the wear characteristics of the material. The State Materials Office will assist the producer in the selection of a test section which meets the following criteria:

- (a) Minimum 50 miles per hours speed limit.
- (b) Minimum 14,000 Average Daily Traffic.
- (c) No intersection, ramps, driveways or curves.
- (d) Minimum of four lanes.
- (e) Minimum length of 1,000 feet.

A control section meeting the test section criteria and adjoining the test section will be constructed with a Department approved aggregate.

(7) Following the selection of a suitable test section, the producer will then provide sufficient material and make the necessary arrangements with the paving contractor for construction of the FC-5 test section and FC-5 control section. Any additional costs incurred by the paving contractor for the test section and control section will be the responsibility of the producer. The Department's State Materials Office will design the mixes, monitor construction and obtain samples for evaluation.

(8) Friction tests will be conducted by the State Materials Office on the test section immediately after construction, then monthly for two months and thereafter at intervals of two months until the accumulated traffic reaches six million (vehicles) coverage and/or the friction number stabilizes. Friction tests will be conducted at 40 mph in accordance with ASTM E274-85 using both E501 (Rib) and the E524 (Blank) test tires. ~~Additional testing at 60 mph will also be conducted by the State Materials Office if determined to be necessary.~~ In the event that the friction number falls below 30 or the test section is otherwise determined to be a threat to public safety within the first two years of construction completion, the evaluation will be terminated and the producer will bear the cost of removing the FC-5 and resurfacing the test section with an approved material. Prior to the construction of the test section, the producer must provide a signed and notarized statement agreeing to this responsibility.

~~(8)(9)~~ At the conclusion of the evaluation period ~~(six million coverage)~~ the friction number in the test section will be compared to friction numbers obtained in the control section and with friction numbers obtained using previously approved FC-5 aggregates. If the test section is equivalent or better comparison is favorable, the State Materials Office will grant approval of the proposed aggregate contingent upon:

(a) The aggregate consistently maintaining the unique characteristics established by the State Materials Office that identify the specific deposit, and

(b) The friction course utilizing the aggregate consistently producing friction numbers and other performance characteristics that the Department considers equivalent to the test section ~~be acceptable~~ on a job by job basis.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History--New 10-20-92, Amended

14-103.006 Quality Control Program.

~~(1)~~ The QCP Quality Control Program developed by the producer for each source shall contain at a minimum the following elements:

~~(1)(a)~~ Identification of the Physical Location of Source. The identification of the physical location of the source must include a description of the property site, township, range, and section, and reference to the nearest identifiable points such as highways and towns, in order to find the location easily by public roadway ~~ear~~.

(2) Location of Designated QC Office. The source shall designate the location of its QC office, which shall have responsibility for the administration of its QCP and the custodianship of QC records. When the QC office is located separate from the source, the identification must include the physical address and reference to the nearest identifiable points such as highways and towns, in order to find the location easily by public roadway. An office, so designated, shall be available to its own QC personnel and the Department during all QC operations. A copy of the QCP, Construction Aggregate Manual, and all pertinent excerpts and references of the Manual of Florida Sampling and Testing Methods, as well as current test data and control charts, shall be available at the QC office and to its personnel at all times.

(3) Documentation of the Producer's Status. See subsection 14-103.003(16), F.A.C.

~~(4)(b)~~ A Production Flow Diagram. The production flow diagram must include a step-by-step written description or flow chart indicating the points involved with all aspects of mining, and processing, sampling, and testing the aggregate from natural state to finished product.

~~(5)(e)~~ Labeling Stored or Stockpiles of Aggregate. The labeling of stockpiles, storage silos, bins, etc., of aggregate must include the clear and precise labeling by sign of the aggregate, or the placement of the aggregate in designated labeled areas identifying it as to grade and intended for Department code use.

~~(6)(d)~~ Prevention of Contamination, and Segregation, and Degradation. The handling and storage of aggregates shall be in such manner as to minimize any segregation or degradation and to prevent contamination by foreign materials. When stockpiles of aggregates cannot be stored sufficiently remote from each other to prevent mixing, suitable baffles shall be provided which will prevent intermingling of the different stockpiles.

~~(7)(e)~~ A Loading and Shipping Controls Program. A loading and shipping controls program must include a detailed description of the methods by which the product is to be loaded and shipped for use on Department projects, including safeguards against loading improper aggregate and contamination, degradation, or and segregation of aggregate. The program shall also include methods of ensuring cleaning of all shipping in clean haul units and accurate identification and certification of products.

~~(8)(f)~~ A Sampling Plan. A sampling plan identifying all must contain a complete sampling description including specific sampling points and or locations, including intermediate points in process control even though the data will not be entered into the Department's computer program, as well as sampling of the finished product that is as closely representative of shipped material as possible sampling devices or techniques and sampling frequencies. Sampling methods must be described in detail and much meet approval by

~~Department standards~~ in accordance with the *Manual of Florida Sampling and Testing Methods*, and must be based on standard statistical practices, including the designation of lots and sub-lots, if applicable.

~~(g) Minimum Quality Control. The sampling and testing frequencies are set by the Department in accordance with Section (I)(B) of the *Mineral Aggregate Manual*.~~

~~(9)(h) Initial Quality Control. The Department will assign the initial sampling and testing frequencies for newly approved products until a history of test data is developed. The initial sampling and testing frequencies are assigned by the Department until a history of test data is developed. Any Quality Control sampling and testing frequency reduction must be applied for in writing to the Department and supported by applicable QC data.~~

~~(10) Minimum Quality Control. The Department will assign QC sampling frequencies for products on the Conditional QC Certification System in accordance with subsection 14-103.007(2), F.A.C. For products on the Full QC Certification System, the producer shall monitor its data to assure continued compliance with Section (I)(B) and Section (II) of the *Construction Aggregate Manual*. The producer shall notify the Department in writing of any prescribed changes in product status or QC sampling frequencies. Any reduction in QC sampling and testing frequencies must be pre-approved by the Department and be supported by applicable QC and verification data. The Department will assign QC sampling frequencies for products on the Full QC Certification System in accordance with Section (I)(B) of the *Construction Aggregate Manual*.~~

~~(11)(i) Analysis and Recording of Data.~~

~~(a)1- The producer must have the necessary equipment (i.e. computer, calculator, etc-) to perform statistical analyses and maintain adequate records of all samples, tests results (including worksheets and sample weights), and other actions to verify the effectiveness of its QCP and to substantiate aggregate compliance with all applicable to Department specifications. These records shall indicate the nature and number of tests made, statistical analysis, the number and types of deficiencies found, the quantities approved and rejected, and the nature of the corrective actions taken, as appropriate. Producer test data is to be recorded in standardized format on appropriate. The Department will initially provide the appropriate computer coding forms and/or electronic submittal formats. Computer Coding forms initially provided by the Department.~~

~~(b)2- The QCP shall include a procedure that will chart, review, and analyze test data so as to effectively evaluate control of the process. The control charts and analyses shall be maintained current with each day's test results and be immediately available for review by QC and Department personnel. Other data must be maintained and available for inspection by Department personnel. As a minimum, the~~

~~Department will require control charts for gradation on critical sieves, and for other required tests for which the producer's initial approval data indicates less than the 100% compliance level shown in Appendices 1 through 21 of the *Construction Aggregate Manual*. The producer may determine the type of control chart most useful in the process; however, control charts using average and range will be considered the minimum acceptable in the absence of more advanced charting. The producer may chart process control tests in lieu of QC tests, provided that process control samples are taken from the finished product and are at a greater frequency than the QC tests. Control charts shall be maintained and visibly displayed by the Producer at the source on the aggregate characteristics designated by the Department; other data must be maintained and available. The QCP must include examples of the control charts used.~~

~~(c)3- All QC test results for materials produced under this rule chapter must be reported to the Department. The producer shall monitor its own data for compliance with Section (I)(B) and Section (II) of the *Construction Aggregate Manual*. When there is an indication that the process is not being adequately controlled in compliance with the QCP, the producer shall immediately take the necessary steps to adjust the process. All conforming and nonconforming test results representing materials which will be certified for use on Department projects must be recorded and all charts kept up to date. A copy of the QCP, *Mineral Aggregate Manual*, all pertinent excerpts of the *Manual of Florida Sampling and Testing Methods*, as well as current test data and control charts shall be available at the source at all times. The producer must monitor their own QC program. When there is an indication that the process is not being adequately controlled, the producer must immediately take the necessary steps to adjust the process.~~

~~(12)(i) Responsibilities of Personnel List. The producer must have a list describing the responsibilities and authority of all personnel involved with the QCP, including supervisors, analysts, technicians, and contact(s). All personnel should be informed of the exact nature of their duties as they apply to the program. Within 15 months of launch of the Aggregate QC Manager training course, an Aggregate QC Manager must be designated as having control over the QCP, and a QC technician designated for each mine. A copy of the QCP shall be on site at the source and available for review by all source personnel during all hours of operation. The Aggregate QC Manager must. A person must be designated as having control over the QCP.~~

~~(a) Have full authority to act as the source's agent to institute any and all action necessary for the successful implementation of the QCP.~~

~~(b) Fluently speak and understand English.~~

~~(c) Be on site at the source or be available upon four hours notice to administer the QCP.~~

(d) Be qualified as an Aggregate QC Manager through the Department's Construction Training Qualification Program.

~~(13)(k) A Plan for Dealing with Control Failures. Control failures are defined by the producer in the QCP to deal with those failures in the QCP administration that may lead to material not complying with Department specifications and standards, or when production under the QCP must be halted to resolve problems leading to product not meeting the specifications. The producer must submit a contingency plan in the event of test results indicating a control failure, to include the following three points:~~

~~(a)1. Notification of the Department as: As soon as results indicating a control failure results are known, the Department is to be notified.~~

~~(b)2. Investigation.—An investigation to determine the extent and location of the cause of the control failure.~~

~~(c)3. Resolution. Corrective action will be taken to eliminate the cause of the failure.~~

~~4. FDOT Notification. The Department shall will be notified in writing as to the corrective actions taken to assure quality and the disposition of aggregate represented by the control failure. This written notification will become part of the QCP.~~

~~1. Corrective actions need not be in the form an Addendum if no changes are being made to the QCP; however, documentation of corrective actions, to include maintenance logs, process control reports, or other supporting documentation must be provided. The Department will notify the producer of unacceptable submittals that are not in compliance with this rule chapter within five business days of receipt. Addenda that do not comply with the provisions of this rule chapter will be rejected.~~

~~2. Procedural steps to detect and prevent future occurrences of the conditions leading up to the control failure should be addressed through Addenda to the QCP. Addenda shall consist of a cover letter explaining the corrective action, an updated "record of changes," and the appropriate revised pages to the QCP. Addenda are subject to review and approval by the Department. The Department will notify the producer of unacceptable submittals that are not in compliance with this rule chapter within five business days of receipt. Addenda that do not comply with the provisions of this rule chapter will be rejected.~~

~~(14)(t) Testing.~~

~~(a)1. Laboratory. Each source must designate either its their own laboratory and/or a commercial laboratory for the performance of QC testing. Laboratories so designated must be equipped to run all applicable tests with equipment and technicians meeting Department standards. A list of testing equipment and facilities meeting Department requirements must be submitted. Only a Department approved laboratory shall be used for QC testing. Laboratories shall be qualified under one of the following and have current Department~~

~~approval during testing of Department products: If the laboratory has not been inspected for compliance with Department methods, as specified in Section 14-103.006(1)(i)3., it must be inspected and found satisfactory prior to approval. Records on instrument calibration and maintenance, sample collection and analyses times must be maintained at the laboratory. The Department may require a demonstration of the accuracy of the equipment.~~

~~1.2. QC Technicians. QC technicians must be designated and identified by the producer and include with a list of qualifications; they must have successfully completed the Department's Construction Training Qualification Program for Aggregate Technicians. QC technicians must successfully participate in the Department's IAP in order to remain qualified, be capable of running all applicable tests, and must demonstrate proficiency to the Department and be certified by the Department for test procedures as applicable.~~

~~2.3. Methods. Testing or sampling methods and the equipment, technicians, and procedures to be used as the basis for producer certification of materials must be described in detail and must be by standard Department methods in accordance with the Manual of Florida Sampling and Testing Methods (sections pertaining to aggregates), incorporated by reference under subsection 14-103.003(11), F.A.C., or by methods published as standards by the American Association of State Highway and Transportation Officials, or as incorporated in Standard Methods, American Society for Testing and materials, or the Construction Aggregate Manual incorporated by reference under subsection 14-103.003(4), F.A.C.~~

~~(8) Alternative testing methods and procedures may be used by the producer when such procedures provide, at a minimum, the quality control required by the program. Equivalent, alternative methods must be approved by the Secretary of the Department as meeting the required QC. Prior to utilizing such alternatives the producer must describe the changes proposed in a written proposal and demonstrate that their effectiveness is equal to or better than the standard Department procedures in the Manual of Florida Sampling and Testing Methods. Such approval of alternate methods shall be based upon a technical demonstration, through comparison of analyses of replicate samples, that the proposed alternate method measures the relevant characteristics with the same degree of accuracy as the approved method. Prior to utilizing such alternatives the producer must describe the changes proposed in a written proposal and demonstrate that their effectiveness is equal to or better than the standard Department procedures in the Manual of Florida Sampling and Testing Methods. In the case of disputes as to whether certain procedures provide equal control, the procedures specified in the Manual of Florida Sampling and Testing Methods required by the Department shall apply.~~

~~(d)4-~~ Turn-Around-Time. All producers must state the period of time it will take for test results to be available at their QC office and to be reported to the Department inspection personnel in accordance with the limits of ~~Section (I)(C)~~ of the Construction Mineral Aggregate Manual.

~~(15)(m)~~ Identification of Aggregate. Each producer must furnish a list of aggregate grades, product number, or other identification of aggregate ~~it they produces or redistributes~~ under an approved QCP and ~~intends to certify for use on Department projects~~ with the corresponding Department Aggregate Description and Code from the Instructions for Coding of Aggregate Test Data for Computerization ~~Instructions For Computer Coding Of Aggregate Test Data~~.

~~(2)~~ The Department will monitor all data and set the source level of approval as necessary. It will also review the data upon request by the producer and make all the source's data available for inspection at the State Materials Office in Gainesville.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(e),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended _____.

14-103.007 Approval Levels.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(e),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Repealed _____.

14-103.0071 Source and Product Certification Systems.

Approved sources may certify approved products through either a Conditional QC Certification System or a Full QC Certification System. The Department will inspect the source, monitor the producer's QCP, and determine the system under which the producer may certify the product.

(1) Full QC Certification System. A producer may employ the Full QC Certification System for an approved source and its approved products that meet the conditions of this subsection, including paragraphs (a) through (k) below. The Department will inform the producer in writing at such time as the Department will accept certification of a product pursuant to the Full QC Certification System. Under the Full QC Certification System, the producer may certify and ship a product based on its own QC data meeting the requirements of Section (II)(B) of the Construction Aggregate Manual. However, the Department reserves the right to reject any defective material based on its own verification testing. The Department will periodically direct the collection of verification samples from selected products that are being certified under the Full QC Certification System. The verification data will be compared with the QC data over an equivalent time period in order to validate the quality of aggregate certified under the Full QC Certification System. The Department may consider supporting documentation in its evaluation of the data. The Department will investigate the possible cause(s) for any unfavorable comparisons through additional verification inspections, sampling and testing, and

review of its own verification procedures. The producer shall fully participate in the Department's review of the QC operation, including, but not limited to: increased sampling frequencies, sample retention, split sample comparisons, and additional inspections. If the Department is unable to validate the QC data's compliance with the limits and standards of Section (II)(B) of the Construction Aggregate Manual, the product will be removed from the Full QC Certification System. The following additional requirements apply to sources using the Full QC Certification System:

(a) The producer shall consistently perform proper and timely sampling and testing of its aggregate products pursuant to the frequencies approved by the Department as modified by the increased minimum requirements set out in Section (I)(B) of the Construction Aggregate Manual, and Appendices 1 through 21 thereto.

(b) The producer shall maintain proper and timely records and have accurate test data and control charts available for itself and for Department inspectors in accordance with the limits of Section (I)(C) of the Construction Aggregate Manual.

(c) The producer shall keep in force the procedures specified in its approved QCP, except upon prior Department approval.

(d) The producer shall certify only shipments of approved products, consisting solely of aggregate produced under its Department-approved QCP.

(e) The producer shall keep materials not processed under its QCP separate and distinct from aggregates intended for certification.

(f) The producer shall properly certify or transmit certification for all shipments of aggregate intended for usage on Department projects in accordance with subsection 14-103.004(5), F.A.C., unless the Department specifically changes the project's certification requirement.

(g) The producer shall demonstrate effective implementation of its QCP by consistently controlling production of aggregates so as to comply with Section (II)(B) of the Construction Aggregate Manual.

(h) The producer's plan for dealing with control failures as specified in subsection 14-103.004(13), F.A.C., shall be effective in identifying control failures prior to the product falling below the limits set out in Section (II)(B) of the Construction Aggregate Manual.

1. Upon timely notification to the Department of a control failure, the producer may continue to certify material under the Full QC Certification System even though affected data subsequent to the notification falls within the limits set out in Section (II)(C) of the Construction Aggregate Manual, provided the following additional requirements are met:

a. The producer shall identify the cause of the control failure pursuant to subsection 14-103.006(13), F.A.C., and implement corrective actions to prevent reoccurrence.

b. The producer may request a re-initialization of the product's data, starting with the effective date of the corrective action, based on a determination by the Department that the corrective action can reasonably be expected to prevent reoccurrence of the control failure and assure continued compliance with Section (II)(B) of the *Construction Aggregate Manual*.

c. Analysis of data for test results generated subsequent to the corrective action must meet the requirements of Section (II)(B) of the *Construction Aggregate Manual*.

2. Three or more control failures related to the same cause that result in the use of subsection 1, above, for the same product during any 365-day period shall be considered prima facie evidence that the QCP has been ineffective in consistently controlling production of aggregates so as to comply with Section (II)(B) of the *Construction Aggregate Manual*.

3. When a product's compliance level mandates a change as described in Section (II)(B) and Section (II)(C) of the *Construction Aggregate Manual*, without the producer giving timely notification as specified in subsection 1, above, the Department will remove the product from the list of approved products. The producer may request re-instatement of the product under the Conditional QC Certification System.

(i) The producer's designated laboratory shall maintain up-to-date and accurate Quality Control records, including: a log of sample collection and identification, laboratory work sheets, test results, records of technician and laboratory qualifications, and information on instrument calibration and maintenance.

(j) The producer and its designated laboratory shall maintain properly trained and qualified QC personnel, accurate and satisfactory test equipment, and proper procedures.

(k) Independent verification testing, as performed by the Department, must confirm that material shipped complies with all applicable specifications.

(2) Conditional QC Certification System. A producer may employ the Conditional QC Certification System for an approved source and its approved products that meet the conditions of this subsection, including paragraphs (a) through (d) below. A producer that uses the Conditional QC Certification System may only certify aggregate from isolated stockpiles released for shipment by the Department. The producer must still comply with its QCP, and evaluate its data to determine compliance with Section (II)(C) of the *Construction Aggregate Manual*. However, only individual stockpiles for which QC data has been found to meet the requirements of Section II (B) of the *Construction Aggregate Manual* may be proposed for acceptance. The Department will set the QC sampling frequencies necessary to establish compliance. Pre-tested stockpiles will be subject to independent verification tests meeting specification requirements prior to release.

(a) When the Department determines that a producer has not met the requirements in subsection 14-103.0071(1), F.A.C., it will advise the producer in writing that the Department will no longer accept certification of products pursuant to the Full QC Certification System. The producer shall thereafter employ the Conditional QC Certification System and shall, within 90 days after receipt of the written Department notification, demonstrate that it is back in full compliance with the conditions of the Full QC Certification System. If the producer has not made this demonstration within this period, the source or product shall be subject to suspension pursuant to Rule 14-103.009, F.A.C.

(b) When QC results for aggregate properties determined by a test method fall below Department compliance levels in Section (II)(B) of the *Construction Aggregate Manual*, or cannot be validated by the Department's own verification testing, sampling frequency for that test method will be increased to a level no greater than the maximum stated in the *Construction Aggregate Manual*. For products reinstated under the Conditional QC Certification System, the Department will set the minimum QC sampling frequencies applicable for those test methods at a level specified for less than 95% compliance as shown in Appendices 1 through 21 of the *Construction Aggregate Manual*. Other test methods, for which the Department is able to establish continued compliance with Section (II)(B) of the *Construction Aggregate Manual*, may continue to be sampled, tested, and evaluated at the previously established frequencies. However, test methods for which data had previously fallen below compliance or could not be validated by the Department's own verification testing will be based on test results for the individual stockpile.

(c) The producer shall physically combine individual "lots" up to but not exceeding a total of one week's production, for the purposes of creating a pre-tested stockpile for evaluation and disposition in accordance with Section (II)(B) of the *Construction Aggregate Manual*.

(d) The producer may request approval to certify a product without the need for verification testing, based on Department review and a determination that the producer's QCP and its history of operations indicate that the producer can reasonably be expected to satisfy the conditions of Section (II)(B) of the *Construction Aggregate Manual*.

(e) The producer may request to ship part or all of a pre-tested stockpile, uncertified and not for usage on Department projects, prior to completion or evaluation of the stockpile. The producer shall provide timely notification to the Department to allow for the option of independent verification testing. Shipment of part or all of a pre-tested stockpile without such notification shall disqualify the stockpile for certification and void the use of its data for establishing product compliance.

(f) Limitations on the production of aggregate from specific layers, pits, or locations within a mine, and other controls or tests addressing specific mining or processing problems, will be imposed for a particular source or product to ensure the quality and acceptability of a source or product for use in Department projects. This will include limitations on uses of a product to certain types of projects where there are unique product performance characteristics or interactions.

(3) New Approvals.

(a) A producer that has received approval of a new source pursuant to Rule 14-103.004, F.A.C., shall employ the Conditional QC Certification System for a period necessary to demonstrate that it has fully and properly implemented its proposed QCP and to provide data for statistical analysis to determine whether at least one product satisfies the conditions of Section (II)(B) of the *Construction Aggregate Manual*. The Conditional QC Certification System may also be employed for new requests for the addition of aggregate products at Redistribution Terminals from Type I, Type II, and Type IV approved sources provided there are no changes in the terminal's process. The evaluation period for new sources shall not exceed 90 days of operation, except for base operations which shall not exceed 180 days. If, within this period, the producer has not demonstrated that it has fully and properly implemented its proposed QCP for the new source or has not provided data for statistical analysis to show that one of its products satisfies the conditions of Section (II)(B) of the *Construction Aggregate Manual*, the new source shall be subject to suspension pursuant to Rule 14-103.009, F.A.C.

(b) Mines and Redistribution Terminals operating under the Full QC Certification System may request approval of new products based on a full submission of data in accordance with Sections (I)(A) and (II)(A) of the *Construction Aggregate Manual*, provided there is no change to the process. The source must submit an Addendum to its QCP to reflect any changes in its production flow diagram, loading and shipping controls, or sampling plan. Upon approval of the product, the source may certify the material pursuant to the Full QC Certification System.

(c) An approved Redistribution Terminal may request approval to redistribute products from Type I, Type II, or Type IV Mines under the Conditional QC Certification System without a full submission of data as specified in Section I(A) of the *Construction Aggregate Manual*, provided there are no changes to the Redistribution Terminal's process. The Redistribution Terminal must notify the mine of its intent to seek approval of the Redistribution Terminal and request data for the material shipped. Gradation targets to establish control bands for the product will be set by the Department based on the correlation between the mine's data and the Redistribution Terminal's results for its first pre-tested stockpile. In no case shall the Redistribution Terminal's targets be set lower than the mine's. Products shall continue to be certified on the

Conditional QC Certification System until sufficient QC data is available for statistical analysis to determine that the product satisfies the conditions of Section (II)(B) of the *Construction Aggregate Manual*.

(4) Reinstated Products.

(a) Materials previously removed from the list of approved products due to a change in compliance level from Section (II)(B) to Section (II)(C) of the *Construction Aggregate Manual* will only be reinstated once the Department has received satisfactory written notification of the producer's corrective action.

1. The initial written notification need not be in the form an Addendum if no changes are being made to the QCP; however, at a minimum, the notification must describe the extent of the non-compliance and the actions taken to assure the quality and the disposition of aggregate represented by the control failure. This written notification will become part of the QCP. The producer may request a reinstatement of the product under the Conditional QC Certification System pending review by the Department. The Department will notify the producer of unacceptable submittals within three business days of receipt.

2. Procedural steps to detect and prevent future occurrences of the conditions leading up to the non-compliance shall be addressed through an Addendum to the QCP. The Addendum shall consist of a cover letter explaining the corrective action, an updated "record of changes," and the appropriate revised pages to the QCP. Addenda that do not comply with the provisions of this rule chapter will be rejected. The Department will notify the producer of unacceptable submittals within five business days of receipt. Upon Department approval of the Addendum, the producer may request a return to the Full QC Certification System based on a full submission of data in accordance with Sections (I)(A) and (II)(A) of the *Construction Aggregate Manual*. Data generated while under the Conditional QC Certification System shall be included in the submittal.

(b) Suspended products may only be reinstated after the Department has received and accepted a satisfactory Addendum addressing steps to detect and prevent future occurrences of the conditions leading up to the suspension. Addenda that do not comply with the provisions of this rule chapter will be rejected. The Department will notify the producer of unacceptable submittals within five business days of receipt. Upon Departmental approval of the Addendum, the producer may request to re-instate the product under the conditional certification system based on a full submission of data in accordance with Sections (I)(A) and (II)(A) of the *Construction Aggregate Manual*.

Specific Authority 120.53(1), 334.044(2) FS. Law Implemented 120.53(1), 334.044(10),(13), 337.105(1), 337.11, 337.164 FS. History—New

14-103.008 Producer Initiated Status Change.

~~With the concurrence of the Department, a~~ A producer may request to be placed on voluntary suspension, or to ~~remove a product or products from its approved products list, have their Quality Control program held in abeyance for reasons related to problems with the quality or control of its~~ ~~their~~ aggregate.

(1) Should the producer elect to ~~change a source's approval status take this action (i.e., from the Full or Conditional QC Certification System Approval to Suspension), the QC Quality Control required under the source's previous and Quality controls required under that approval level will be in effect; however, minimum time requirements restricting sources in some approval levels will not apply. The maximum time the source can remain in that approval level and restrictions on shipping of products will remain as stated stipulated in Rule 14-103.009, F.A.C.~~

(2) Upon resolution of the problem, the producer may request a return to ~~its~~ ~~their~~ former approval level and control. ~~This~~ These requests must be made in writing to the State Materials Engineer.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended _____.

14-103.009 Suspension, Revocation, Expiration, or Denial of Source Approval.

(1) Suspension. When source approval is suspended, the producer is restricted from shipping all products for ~~use~~ ~~usage~~ on Department projects.

~~(a) An individual product shall be suspended when QC test results fall outside the ranges specified in Section II (D) of the Construction Aggregate Manual.~~

~~(b)(a)~~ A source shall be suspended when one of the following occurs:

1. Failure to timely supply information required by this rule.
2. Failure of material to meet specification requirements.
3. ~~Failure to take immediate corrective action relative to deficiencies in the performance of the QCP. The producer fails to take immediate corrective action relative to deficiencies in the performance of the Quality Control Program.~~

4. ~~Certification of material not produced under an approved QCP. The producer certifies material not produced under an approved QC Program for use on Department projects.~~

5. ~~Failure to correct any identified deficiency within 30 days after Department notice. The producer fails to correct any deficiency related to any requirement of this rule, having received notice from the Department, within a reasonable amount of time not to exceed 30 days.~~

~~(c)(b)~~ Time Limits. A source placed under suspension must remain suspended for a minimum period of 30 days, but not more than 90 days;. If the problems are corrected within

this time frame, the source will be placed on Conditional Approval. If the problems have not been corrected, the source's approval will be revoked.

(2) Revocation. When source approval is revoked, the producer is prohibited ~~from~~ ~~from~~ shipping or certifying aggregates for ~~Department use or on~~ Department projects.

(a) A source's approval shall be revoked when one of the following occurs:

1. A suspended source has failed to correct its problems within 90 days of the date of ~~s~~Suspension.
2. A ~~source using the Conditional QC Certification System Conditionally Approved source following a period of Suspension~~ fails to qualify for ~~F~~Full QC Certification System Approval within six months ~~following a period of suspension.~~
3. ~~Deliberate~~ Shipping of non-specification aggregate ~~or falsification of records.~~
4. Failure to meet or comply with any requirements of Rule 14-103.004, F.A.C.

~~(b) Time Limits:~~ When a source's approval has been revoked, it will not be eligible for re-approval for a minimum period of six months from the date of revocation. Subsequent re-approval is subject to application requirements of Rule 14-103.004, F.A.C.

~~(c) Approval of out of country mines will expire if no annual inspection is made by the Department due to producer failure to pay the inspection transportation costs.~~

(3) Expiration or Extension of Approval. A source's approval will automatically expire if it has not furnished material for ~~Department use or on~~ Department projects for a period of ~~365 days one calendar year~~, unless an extension of approval is requested in writing, prior to the expiration date, by the producer to the State Materials Engineer.

(a) Extension of approval will be predicated on the continued operation of the source's ~~QCP Quality Control Program~~ during the previous ~~365 days calendar year~~ and the source's continuing to meet all the requirements of this rule chapter.

(b) Approval will be extended only once for an additional ~~365 days calendar year~~. If, at the end of the extension, the source still has not furnished aggregate for Department use ~~or Department projects~~, source approval will again expire and re-approval is subject to reapplication.

(c) Individual products from any source which have not been supplied for ~~Department use or on~~ Department projects for a period of ~~365 days one calendar year~~ will be removed from the list of approved products for that source, unless an extension is requested. This includes existing ~~material inventory stockpiles of material~~ made under a QCP Program, meeting specifications, and for which identification and specific records and test data are available. ~~Extensions will be granted for up to 365 days.~~

~~(4) Denial of Source Approval.~~ A producer's request for source or product approval will be denied when any one of the following occurs:

~~(a) Incomplete or inadequate QCP Quality Control Program.~~

~~(b) Failure of material to meet specification requirements.~~

~~(c) Results of the Department's inspection and testing do not agree with information and test results furnished by the producer.~~

~~(d) Results of the Department's inspection indicate material properties or characteristics which may be a potential problem.~~

~~(e) Falsification of any approval information submitted by the producer.~~

~~(e)(f) The producer fails, upon receipt of having received notice from the Department related to any requirement of this rule, to correct the that deficiency(ies) within a reasonable amount of time not to exceed 30 days.~~

(5) The Department shall give written notice of its intended action to suspend, revoke, or deny approval. Notice of the Department's intended action will be provided in accordance with Rule 28-106.111, F.A.C. The Department's action will become final unless a timely petition for a hearing is filed in accordance with Rules ~~28-106.104, 28-106.201 or 28-106.301~~, F.A.C. In order to be timely, the petition must be filed with the Department's Clerk of Agency Proceedings within 21 days after receipt of the Department's notice, in accordance with Rule 28-106.111, F.A.C.

~~(6) In the event that a producer petitions a change of status action of the Department, the Department may exercise its option to test all of producer's aggregates at the point of use or project site until resolution of the request, and hold the material to a pass or fail status based on quality requirements of the specific contract for that project. Any construction delays resulting from Quality Assurance testing at the job site shall be the sole responsibility of the contractor.~~

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended 1-17-99, _____.

14-103.0091 Producer Non-Responsibility.

(1) Producers who wish to supply aggregates to the Department or contractors of the Department, are presumed to be a responsible business or individual unless the Department determines that good cause exists to declare the producer non-responsible, which shall include the following:

(a) The producer made or submitted to the Department false, deceptive, or fraudulent statements, certifications, or materials in any claim for payments or any information required by the Department;

(b) The producer becomes insolvent or is the subject of a bankruptcy petition;

(c) The producer or affiliate(s) has been convicted of a contract crime;

(d) An affiliate of the producer has previously been determined by the Department to be non-responsible, and the specified period of non-responsibility remains in effect;

(e) The producer wrongfully employs or otherwise provides compensation to any employee or officer of the Department, or willfully offers an employee or officer of the Department any pecuniary or other benefit with the intent to influence the employee or officer's official action or judgment.

(2) Determination of Producer Non-Responsibility. The producer will be determined to be non-responsible and ineligible to supply aggregates to the Department or contractors of the Department for a period of time, based on the seriousness of the deficiency. Examples of factors affecting the seriousness of a deficiency are:

(a) Impacts on project schedule, cost, or quality of work;

(b) Delay or interference with the bidding process;

(c) The potential for repetition;

(d) Integrity of the public construction process; and

(e) Effect on the health, safety, and welfare of the public.

(3) Notice of intended agency action under this section will be provided in accordance with Rule 28-106.111, F.A.C. The Department's action will become final unless a timely petition for a hearing is filed in accordance with Rules 28-106.104, 28-106.201, and 28-106.301, F.A.C. In order to be timely, the petition must be filed with the Department's Clerk of Agency Proceedings within 21 days after receipt of the Department's notice in accordance with Rule 28-106.111, F.A.C.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New _____.

14-103.010 Emergency Action.

(1) The Department may summarily suspend, limit, or restrict approval if it finds that immediate serious danger to the public health, safety, or welfare or the integrity of a project under construction requires emergency suspension, limitation, or restriction.

(2) Notice of emergency suspension, limitation, or restriction shall be given by telegram and by written notice by certified mail, or express delivery, giving detailed reasons for the emergency action taken.

(3) The Department shall promptly initiate formal administrative proceedings after taking emergency action.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c),(13), 337.105(1), 337.11, 337.164 FS. History—New 10-20-92, Amended _____.

14-103.011 Sampling and Testing Methods.

Specific Authority 334.044(2),(10)(c) FS. Law Implemented 334.044(10)(a),(b),(c), (13), 337.105(1), 337.11, 337.164 FS. History--New 10-20-92, Amended 11-3-97, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: John Shoucair, P.E., Geotechnical Materials Engineer
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Freddie Simmons, State Highway Engineer, for José Abreu, P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 6, 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.”

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, EFFECT AND SUMMARY: 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.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 6 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number and types of individuals likely to be required to comply with the rule or who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principle entities that are likely to be required to comply with the rules include the State of Florida and its residents, Lake County and its residents, current property owners and future property owners. Under paragraph (b), the FLWAC and State of Florida will incur minimal administrative costs. Lake County will also incur one-time administrative costs which are offset by the required filing fee paid to Lake County by the Petitioner. Adoption of the proposed rule to approve the establishment of the District will not have adverse impact on State and local revenues. Addressing paragraph (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future landowners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. Under paragraph (d), approval of the petition to establish the District will have only incidental or a positive impact on a small business and will not have any impact on small counties and cities. Lake County is not a small county as such is defined. Under paragraph (e), certain data utilized in the SERC was provided by the developer/petitioner and

represents the best information available. Other data was based on observations, analysis and experience with private development and other community development districts.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Tuesday, April 27, 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 RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

PINE ISLAND COMMUNITY DEVELOPMENT DISTRICT

4200-1.001 Establishment.

The Pine Island Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History-New

4200-1.002 Boundary.

The boundaries of the district are as follows:

Pine Island I

OVERALL DESCRIPTION:

THOSE PORTIONS OF SECTIONS 1, 11, 12, 13, 14 AND 24, TOWNSHIP 22 SOUTH, RANGE 26 EAST AND SECTIONS 7 AND 18, TOWNSHIP 22 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 455 AND THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 14; THENCE RUN N41°15'24"E ALONG SAID EASTERLY RIGHT OF WAY LINE, 1543.26 FEET; THENCE RUN N41°46'07"E, 231.35 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 11; THENCE RUN N89°51'49"E ALONG SAID NORTH LINE, 903.20 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 11; THENCE RUN N01°20'39"E ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID

SECTION 11, 656.30 FEET TO THE SOUTHEAST CORNER OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11; THENCE RUN S89°56'32"W ALONG THE SOUTH LINE OF SAID EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, 519.25 FEET TO THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 455; THENCE RUN N13°40'04"E ALONG SAID EASTERLY RIGHT OF WAY LINE, 187.08 FEET; THENCE RUN N12°44'49"E, 891.78 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE ABANDONED TAVARES AND GULF RAILROAD BEING A CURVE CONCAVE TO THE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 02°57'22". A RADIUS OF 979.00 FEET, AN ARC LENGTH OF 50.51 FEET, A CHORD BEARING OF N58°16'28"E AND A CHORD DISTANCE OF 50.51 FEET; THENCE RUN N56°47'47"E, 100.00 FEET TO A CURVE CONCAVE TO THE SOUTHEAST; THENCE RUN NORTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 20°18'00", A RADIUS OF 918.50 FEET, AN ARC LENGTH OF 325.43 FEET, A CHORD BEARING OF N66°56'47"E AND A CHORD DISTANCE OF 323.73 FEET; THENCE RUN N77°05'47"E, 249.70 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12; THENCE RUN N89°34'25"E ALONG SAID NORTH LINE, 963.82 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12; THENCE RUN N00°50'16"E ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, 1246.67 FEET TO THE SOUTH RIGHT OF WAY LINE OF DISTRICT ROAD NO. 3-1865, ALSO KNOWN AS RIDGEWOOD AVENUE; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE SOUTH RIGHT OF WAY LINE OF RIDGEWOOD AVENUE; S89°38'56"E, 1340.99 FEET; N01°14'28"E, 5.55 FEET TO A CURVE CONCAVE TO THE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 22°45'09", A RADIUS OF 314.34 FEET, AN ARC LENGTH OF 124.83 FEET, A CHORD BEARING OF N77°38'40"E AND A CHORD DISTANCE OF 124.01 FEET; N23°43'54"-W, 10.00 FEET; N66°16'06"-E, 42.77 FEET; N67°05'43"E, 1.31 FEET TO A CURVE CONCAVE TO THE SOUTHEAST; THENCE RUN NORTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 03°18'05", A RADIUS OF 1204.47 FEET, AN ARC LENGTH OF 69.40 FEET, A CHORD BEARING OF N68°44'46"E AND A CHORD DISTANCE OF 69.40 FEET; N70°23'49"E, 6.53 FEET TO A CURVE CONCAVE TO THE SOUTHEAST; THENCE RUN NORTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 10°10'38", A RADIUS OF 271.31 FEET, AN ARC LENGTH OF 48.19 FEET, A CHORD BEARING OF N75°29'08"E AND A CHORD DISTANCE OF

48.13 FEET TO A COMPOUND CURVE CONCAVE TO THE SOUTHEAST; THENCE RUN NORTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 12°33'44", A RADIUS OF 217.59 FEET, AN ARC LENGTH OF 47.71 FEET. A CHORD BEARING OF N86°51'19"E AND A CHORD DISTANCE OF 47.61 FEET; N03°08'11"E, 5.00 FEET; S86°51'49"E, 48.00 FEET; S86°56'51"E, 1.58 FEET; N01°29'23"E, 5.01 FEET; S87°04'56"E, 535.48 FEET; S76°46'51"E, 50.05 FEET; S65°10'08"E, 56.55 FEET; S57°59'33"E, 50.83 FEET; S55°08'02"E, 37.17 FEET TO THE END OF MAINTAINED DISTRICT ROAD NO. 3-1865, ALSO BEING THE SOUTHEAST CORNER OF MONTVERDE MOBILE HOME SUBDIVISION SECOND ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 26, PAGE 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF SAID MONTVERDE MOBILE HOME SUBDIVISION SECOND ADDITION, N05°51'46"E, 254.96 FEET; N32°48'36"E, 126.37 FEET; N43°29'37"E, 572.75 FEET; N02°54'58"E, 678.09 FEET TO A POINT ON THE NORMAL HIGH WATER LINE OF LAKE APOPKA HEREIN AFTER REFERRED TO AS POINT "A"; THENCE RUN ALONG SAID NORMAL HIGH WATER LINE SOUTHERLY, THENCE WESTERLY, THENCE NORTHERLY TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, BEING S44°28'34"W, 8403.55 FEET FROM AFORESAID POINT "A"; THENCE RUN S89°27'21"W ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, 519.41 FEET TO THE POINT OF BEGINNING.

PINE ISLAND II

THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 22 SOUTH, RANGE 26 EAST; LESS THAT PORTION OF TRACT 60-B OF LAKE HIGHLANDS PLAT, OF SAID SECTION 10, RECORDED IN PLAT BOOK 3, PAGE 51, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING EAST OF THE EASTERLY RIGHT-OF-WAY OF BLACK STILL ROAD;

AND

THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 26 EAST, AND THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 11, LYING SOUTH OF THE CENTER LINE OF ABANDONED RAILROAD, AND WEST OF THE WESTERLY RIGHT-OF-WAY OF C-455;

AND

THE NORTH 643.45 FEET OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LYING WESTERLY OF THE WESTERLY RIGHT-OF-WAY OF C-455;

AND

THE NORTH 643.45 FEET OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST;

AND

THE WEST 3/4 OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA;

AND

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF C-455;

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY FLORIDA; THENCE RUN NORTH 88°48'56" EAST ALONG THE SOUTH LINE OF SAID SECTION 11 FOR A DISTANCE OF 1317.66 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST; THENCE RUN SOUTH 00°32'42" EAST ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 14 FOR A DISTANCE OF 520.39 FEET; THENCE DEPARTING THE EAST LINE OF NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 14 RUN SOUTH 45°57'07" EAST FOR A DISTANCE OF 200.92 FEET TO THE SOUTH LINE OF THE NORTH 643.45 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 14; THENCE RUN NORTH 88°50'31" EAST ALONG THE SOUTH LINE OF THE SAID NORTH 643.45 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 14 FOR A DISTANCE OF 846.26 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NORTH 643.45 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 14; THENCE DEPARTING SAID SOUTH LINE RUN NORTH 00°27'59" WEST FOR A DISTANCE OF 14.28 FEET; THENCE RUN NORTH 88°58'07" EAST FOR A DISTANCE OF 329.41 FEET; THENCE RUN NORTH 88°52'05" EAST FOR A DISTANCE OF 507.61 FEET TO THE WESTERLY RIGHT OF WAY OF COUNTY ROAD 455; THENCE RUN NORTH 39°56'49" EAST ALONG THE SAID WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 455 FOR A DISTANCE OF 2203.91 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WEST HAVING A RADIUS OF 488.82 FEET; THENCE RUN NORTH ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°33'35" AND AN ARC LENGTH OF 243.66 FEET HAVING A CHORD BEARING OF

NORTH 25°40'02" EAST AND A CHORD DISTANCE OF 241.14 FEET TO A POINT OF TANGENCY; THENCE CONTINUE NORTH 11°23'14" EAST ALONG THE WESTERLY RIGHT OF WAY OF COUNTY ROAD 455 FOR A DISTANCE OF 66.35 FEET; THENCE DEPARTING THE WESTERLY RIGHT OF WAY OF COUNTY ROAD 455 RUN SOUTH 89°56'07" WEST FOR A DISTANCE OF 725.59 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 26 EAST; THENCE RUN NORTH 00°16'40" WEST ALONG THE SAID EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11 FOR A DISTANCE OF 978.21 FEET TO THE CENTERLINE OF THE ABANDONED RAIL ROAD; THENCE RUN SOUTH 87°20'28" WEST ALONG THE CENTERLINE OF THE ABANDONED RAIL ROAD FOR A DISTANCE OF 892.18 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTH HAVING A RADIUS OF 1920.00 FEET; THENCE RUN WEST ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°09'42" AND AN ARC LENGTH OF 441.05 FEET HAVING A CHORD BEARING OF SOUTH 80°45'37" WEST AND A CORD DISTANCE OF 440.08 FEET TO A POINT ON THE CURVE AND SAID CENTERLINE OF THE ABANDONED RAIL ROAD AND INTERSECTION WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 11; THENCE DEPARTING THE CENTERLINE OF THE ABANDONED RAIL ROAD RUN NORTH 00°34'01" WEST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 11 FOR A DISTANCE OF 461.82 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 11; THENCE RUN SOUTH 88°43'38" WEST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 11 FOR A DISTANCE OF 2637.92 TO THE WEST 1/4 CORNER OF SAID SECTION 11; THENCE RUN SOUTH 89°11'40" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 22 SOUTH, RANGE 26 EAST FOR A DISTANCE OF 2643.13 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE RUN SOUTH 00°43'19" EAST ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 10 FOR DISTANCE OF 2325.68 FEET TO THE NORTH LINE OF TRACT 60-B LAKE HIGHLANDS COMPANY ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 51 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN NORTH 89°30'27" EAST ALONG THE SAID NORTH LINE OF SAID TRACT 60-B FOR A DISTANCE OF 60.00 FEET TO A POINT ON A NONTANGENT CURVE CONCAVE WEST HAVING A RADIUS OF 525.56 FEET; THENCE RUN SOUTH ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 37°26'35" AND AN ARC LENGTH OF 343.46

FEET HAVING A CHORD BEARING OF SOUTH 09°31'20" WEST AND CHORD LENGTH OF 337.38 FEET TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE RUN NORTH 89°30'14" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 10 FOR A DISTANCE OF 2638.52 FEET TO THE POINT OF BEGINNING. CONTAINING 428.5555 ACRES MORE OR LESS TOGETHER WITH: ALL RIGHTS, TITLE AND INTERESTS TO THAT CERTAIN PROPERTY DESCRIBED IN THOSE BOUNDARY LINE AGREEMENTS AS FOLLOWS, BOUNDARY LINE AGREEMENT BETWEEN J.A. CARPENTER AND WIFE ETHEL M. CARPENTER AND ROY MIZEN AND WIFE ALICE MIZEN, DATED JANUARY 23, 1959, RECORDED IN OFFICIAL RECORDS BOOK 97, PAGE 575, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. LINE AGREEMENT BETWEEN J.A. CARPENTER AND WIFE ETHEL M. CARPENTER AND ROY MIZEN AND WIFE ALICE MIZEN, DATED JANUARY 23, 1959, RECORDED IN OFFICIAL RECORDS BOOK 103, PAGE 22, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

Specific Authority 190.005 FS. Law Implemented 190.004. 190.005 FS. History--New _____.

4200-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Thomas McCarthy, Kyle Meyers, W. Wade Smith, Thomas Britt, and James Cooper.

Specific Authority 190.005 FS. Law Implemented 190.004. 190.005 FS. History--New _____.

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

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

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

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

LAND AND WATER ADJUDICATORY COMMISSION

Connerton West Community Development District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Connerton West Community Development District	42PP-1
RULE TITLES:	RULE NOS.:
Establishment	42PP-1.001
Boundary	42PP-1.002
Supervisors	42PP-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district ("CDD"), the Connerton West Community Development District ("Connerton West CDD"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by Connerton, LLC., and referred to as ("Petitioner"), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Connerton West CDD. A Notice of Receipt of Petition for the Connerton West CDD was published in the January 9, 2004, edition of the *Florida Administrative Weekly*. The land area proposed to be served by the District will consist of approximately 1,600 acres, located entirely within the unincorporated area of Pasco County. The lands to be included in the proposed Connerton West CDD are bounded by U.S. 41 (Land O Lakes Boulevard) to the west, west of Ehren Cutoff, and south of S.R. 52 (Schrader Memorial Highway). There are no parcels located within the external boundaries of the proposed Connerton West CDD, which are to be excluded from the Connerton West CDD. The future general distribution, location and extent of the public and private land uses within the proposed Connerton West CDD are consistent with the Pasco County Comprehensive Plan and include residential, mixed use and recreational elements. The proposed land uses within the proposed Connerton West CDD are subject to the approved Connerton Development of Regional Impact Development Approval issued by Pasco County. Approximately 2,000 residential units and 200,000 square feet of non-residential mixed use are planned for development within the Connerton West CDD. The Petitioner either owns or has written consent to establish the Connerton West CDD from the owners of 100% of the real property located within the proposed Connerton West CDD. The Connerton West CDD, if established, intends to participate in the construction of certain infrastructure improvements including roads, water and wastewater, recreational facilities, surface water management, landscaping and security.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 8 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state

or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under Section 120.541(1)(a), F.S., and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principle entities that are likely to be required to comply with the rules include the District, the State of Florida, and Pasco County. In addition, future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur minimal administrative costs. Pasco County will also incur one-time administrative costs which are offset by the required filing fee paid to Pasco County by the Petitioner. Adoption of the proposed rule to approve the formation of the District will not have adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to establish the District will have no impact or a positive impact on a small business and will not have any impact on small counties and cities. Pasco County is not a small county as defined in Section 120.52, F.S. Under section (e), the analysis was based on the application of economic theory with input received from the developer's engineer and other professionals associated with the developer. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Friday, April 30, 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 RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

CONNERTON WEST COMMUNITY
DEVELOPMENT DISTRICT

42PP-1.001 Establishment.

The Connerton West Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History-New _____.

42PP-1.002 Boundary.

The boundaries of the District are as follows:

A PARCEL OF LAND LYING IN SECTIONS 22, 23, 24, 25, 26, 27 AND 35, TOWNSHIP 25 SOUTH, RANGE 18 EAST, AND SECTIONS 19 AND 30, TOWNSHIP 25 SOUTH, RANGE 19 EAST, ALL IN PASCO COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 25, FOR A POINT OF BEGINNING, RUN THENCE ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 25, N.89°28'40"W., 1320.64 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 25; THENCE ALONG THE SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 25, N.89°29'51"W., 1321.01 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25; THENCE ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 25, N.89°27'57"W., 1320.57 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25; THENCE N.26°38'23"W., 741.12 FEET; THENCE N.64°26'37"W., 629.60 FEET; THENCE N.62°51'24"E., 1014.82 FEET; THENCE N.20°31'43"E., 549.36 FEET; THENCE N.50°14'25"W., 1535.13 FEET; THENCE S.55°36'40"W., 810.99 FEET; THENCE S.65°13'49"W., 1389.45 FEET TO A POINT ON A CURVE; THENCE SOUTHWESTERLY, 1312.85 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND A CENTRAL ANGLE OF 65°24'34" (CHORD BEARING S.32°32'26"W., 1242.71 FEET); THENCE S.00°11'02"E., 418.28 FEET TO THE NORTHWEST CORNER OF THE GROVES PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 39, PAGES 120 THROUGH 150, INCLUSIVE, OF THE PUBLIC

RECORDS OF PASCO COUNTY, FLORIDA; THENCE ALONG THE WESTERLY BOUNDARY OF SAID THE GROVES PHASE 1A, THE FOLLOWING FOUR (4) COURSES: 1) CONTINUE, S.00°11'02"E., 18.80 FEET TO A POINT ON A CURVE; 2) SOUTHWESTERLY, 707.82 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 73°44'10" (CHORD BEARING S.36°41'00"W., 659.97 FEET); 3) S.71°53'17"W., 446.91 FEET; 4) S.18°06'43"E., 178.34 FEET; THENCE S.71°53'17"W., 179.15 FEET TO A POINT OF CURVATURE; THENCE WESTERLY, 47.54 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 54°28'36" (CHORD BEARING N.80°52'25"W., 45.77 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY, 127.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 205.00 FEET AND A CENTRAL ANGLE OF 35°31'31" (CHORD BEARING N.35°52'21"W., 125.08 FEET) TO A POINT OF TANGENCY; THENCE N.18°06'36"W., 197.21 FEET; THENCE S.71°53'24"W., 535.66 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, 39.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 89°59'05" (CHORD BEARING S.26°53'52"W., 35.35 FEET); THENCE S.71°54'19"W., 12.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41, (STATE ROAD NO. 45), PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP NO. 544B-ROAD 5; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES: 1) N.18°05'41"W., 708.93 FEET TO A POINT OF CURVATURE; 2) NORTHERLY, 1418.22 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 23038.31 FEET AND A CENTRAL ANGLE OF 03°31'37" (CHORD BEARING N.19°51'30"W., 1417.99 FEET) TO A POINT OF TANGENCY; 3) N.21°37'19"W., 4528.68 FEET; THENCE N.88°44'55"E., 274.36 FEET; THENCE S.01°15'05"E., 150.00 FEET; THENCE N.88°44'55"E., 77.14 FEET TO A POINT OF CURVATURE; THENCE EASTERLY, 357.96 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11350.00 FEET AND A CENTRAL ANGLE OF 01°48'25" (CHORD BEARING N.87°50'42"E., 357.94 FEET) TO A POINT ON A CURVE; THENCE EASTERLY, 547.67 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11350.00 FEET AND A CENTRAL ANGLE OF 02°45'53" (CHORD BEARING N.89°23'14"E., 547.62 FEET); THENCE N.50°50'00"E., 1057.53 FEET; THENCE N.25°00'00"E., 1050.00 FEET; THENCE N.79°00'00"E., 544.99 FEET; THENCE N.56°00'00"E., 356.34 FEET; THENCE S.46°00'00"E., 430.00 FEET; THENCE S.03°50'00"W., 770.00 FEET; THENCE S.55°00'00"W., 325.00 FEET; THENCE S.33°50'00"W.,

375.00 FEET; THENCE S.05°39'58"E., 77.00 FEET TO A POINT ON A CURVE; THENCE EASTERLY, 1944.04 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 7110.00 FEET AND A CENTRAL ANGLE OF 15°39'58" (CHORD BEARING N.87°49'59"E., 1937.99 FEET) TO A POINT OF TANGENCY; THENCE S.80°00'00"E., 868.53 FEET TO A POINT OF CURVATURE; THENCE EASTERLY, 1292.15 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11390.00 FEET AND A CENTRAL ANGLE OF 06°30'00" (CHORD BEARING S.83°15'00"E., 1291.46 FEET) TO A POINT OF TANGENCY; THENCE S.86°30'00"E., 210.00 FEET; THENCE N.20°35'08"E., 263.21 FEET; THENCE N.27°50'00"W., 285.00 FEET; THENCE N.35°00'00"E., 840.00 FEET; THENCE N.47°50'00"E., 165.00 FEET; THENCE N.32°11'37"E., 621.01 FEET; THENCE N.51°50'00"E., 350.00 FEET; THENCE N.22°50'00"E., 700.00 FEET; THENCE N.54°25'49"W., 924.48 FEET; THENCE N.12°50'00"E., 600.00 FEET; THENCE N.78°00'00"E., 575.00 FEET; THENCE N.13°50'00"E., 730.00 FEET; THENCE S.71°50'00"E., 925.00 FEET; THENCE S.14°50'00"E., 245.00 FEET; THENCE N.84°50'00"E., 200.00 FEET; THENCE S.80°35'16"E., 79.07 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY, 168.38 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 630.00 FEET AND A CENTRAL ANGLE OF 15°18'47" (CHORD BEARING S.17°04'07"W., 167.88 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY, 386.91 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 570.00 FEET AND A CENTRAL ANGLE OF 38°53'31" (CHORD BEARING S.05°16'46"W., 379.53 FEET) TO A POINT OF TANGENCY; THENCE S.14°10'00"E., 880.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, 329.87 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 630.00 FEET AND A CENTRAL ANGLE OF 30°00'00" (CHORD BEARING S.00°50'00"W., 326.11 FEET); THENCE S.74°10'00"E., 319.04 FEET; THENCE S.04°52'00"E., 568.11 FEET; THENCE N.85°08'00"E., 945.45 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 46.06 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 105°33'46" (CHORD BEARING N.32°21'07"E., 39.82 FEET); THENCE N.69°34'14"E., 120.00 FEET TO A POINT ON A CURVE; THENCE SOUTHERLY, 206.43 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 760.00 FEET AND A CENTRAL ANGLE OF 15°33'46" (CHORD BEARING S.12°38'53"E., 205.80 FEET) TO A POINT OF TANGENCY; THENCE S.04°52'00"E., 504.09 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, 223.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1260.00 FEET AND A CENTRAL ANGLE OF 10°10'00"

(CHORD BEARING S.00°13'00"W., 223.28 FEET) TO A POINT OF TANGENCY; THENCE S.05°18'00"W., 253.37 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, 36.98 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 26°29'16" (CHORD BEARING S.07°56'38"E., 36.66 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY, 22.70 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 52°01'28" (CHORD BEARING S.47°12'00"E., 21.93 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE EASTERLY, 36.98 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 26°29'16" (CHORD BEARING S.86°27'22"E., 36.66 FEET); THENCE S.09°42'00"E., 120.00 FEET TO A POINT ON A CURVE; THENCE SOUTHWESTERLY, 54.32 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 38°54'18" (CHORD BEARING S.60°50'51"W., 53.28 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHWESTERLY, 10.50 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 17°11'24" (CHORD BEARING S.32°48'00"W., 10.46 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY, 54.32 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 38°54'18" (CHORD BEARING S.04°45'09"W., 53.28 FEET) TO A POINT OF TANGENCY; THENCE S.14°42'00"E., 1816.20 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, 884.99 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1260.00 FEET AND A CENTRAL ANGLE OF 40°14'35" (CHORD BEARING S.05°25'18"W., 866.91 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY, 59.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 42°26'01" (CHORD BEARING S.04°19'35"W., 57.90 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 204.79 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 97°46'52" (CHORD BEARING S.32°00'00"W., 180.83 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 59.25 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET AND A CENTRAL ANGLE OF 42°26'01" (CHORD BEARING S.59°40'25"W., 57.90 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 869.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1260.00 FEET AND A CENTRAL ANGLE OF 39°32'35" (CHORD BEARING

S.58°13'42"W., 852.44 FEET) TO A POINT OF TANGENCY; THENCE S.78°00'00"W., 221.38 FEET; THENCE S.39°26'15"E., 1053.61 FEET; THENCE S.12°09'53"E., 442.32 FEET; THENCE S.47°48'01"E., 1546.92 FEET; THENCE S.00°11'38"W., 419.17 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 30; THENCE ALONG SAID SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SECTION 30, N.89°48'21"W., 1478.31 FEET TO THE POINT OF BEGINNING.
CONTAINING 1599.886 ACRES, MORE OR LESS.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

42PP-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Stewart Gibbons, Dale Jones, Kathy Shelling, Adam Lorry and Joyce Bell.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

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

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

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

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

LAND AND WATER ADJUDICATORY COMMISSION

Villages of Westport Community Development District

RULE CHAPTER TITLE: Villages of Westport Community Development District

RULE CHAPTER NO.: 42QQ-1

RULE TITLES: Establishment

RULE NOS.: 42QQ-1.001

Boundary

42QQ-1.002

Supervisors

42QQ-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this proposed rule is to establish a community development district ("CDD"), the Villages of Westport Community Development District ("Villages of Westport CDD"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by Westport Villages, LLC., and referred to as ("Petitioner"), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Villages of Westport CDD. A Notice of Receipt of Petition for the Villages of Westport CDD was published in the January 9, 2004, edition of the *Florida Administrative Weekly*. The land area proposed to be served by the District will consist of approximately 1,340

acres, located entirely within the City of Jacksonville, Duval County, Florida. The lands to be included in the proposed Villages of Westport CDD are located east of New Kings Road (U.S. Highway 1), north of the Jacksonville Electric Authority Utility Easement, and is bisected in the middle by Braddock Road. There are no parcels located within the external boundaries of the proposed Villages of Westport CDD, which are to be excluded from the Villages of Westport CDD. The future general distribution, location and extent of the public and private land uses under the Planned Unit Development/Multi-Use designation within the proposed Villages of Westport CDD are consistent with the City of Jacksonville Comprehensive Plan and include residential, recreation, and commercial elements. The proposed land uses within the proposed Villages of Westport CDD are part of an approved Regional Activity Center development approval. Approximately 1,900 single family residential units, 500 multi-family residential units and 200,000 square feet of non-residential mixed use are planned for development within the Villages of Westport CDD. The Petitioner either owns or has written consent to establish the Villages of Westport CDD from the owners of 100% of the real property located within the proposed Villages of Westport CDD. The Villages of Westport CDD, if established, intends to participate in the construction of certain road and entranceway improvements, landscaping, stormwater and recreational amenities, as well as funding for roadway planning, development and engineering studies.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Petitioner has prepared a Statement of Estimated Regulatory Costs (SERC). The complete text of the SERC is contained in Exhibit 7 to the petition to establish the District. The Petitioner, Westport Villages, LLC., presently intends for the District to participate in the construction of certain infrastructure improvements including road and entranceway improvements, landscaping, stormwater and recreational amenities, as well as funding for roadway planning, development and engineering studies as contemplated in the approved Planned Unit Development/Regional Activity Center Development Order. The District intends to finance these infrastructure improvements through special assessment or other revenue bonds. Repayment of those bonds will be through non-ad valorem assessments levied against all benefitted properties within the District. The current and future property owner will be responsible for payment of these assessments on the basis of the amount of benefitted property owned. In exchange for payment of these special assessments, there are substantial potential benefits to be derived by the property owners. All of the current and future landowners within the boundaries of the proposed District will be required to comply with the

administrative rule. The cost of implementing this rule to the City of Jacksonville, its residents and to all applicable state agencies for processing the documents is nominal. The City of Jacksonville was paid a \$15,000.00 processing fee to offset the cost of review of the petition to establish the district. Administrative costs will be incurred by the Florida Land and Water Adjudicatory Commission, the Division of Administrative Hearings, the Bureau of Local Government finance/Office of the Comptroller, and the Florida Department of Community Affairs. Other than administrative costs, no costs will be incurred by the State of Florida or the general citizenry from the establishment or operations of the District. Adoption of the proposed administrative rule will have no negative impact on state or local revenues. The impact of District establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the rule, is as economically viable as establishing the District. Creation of the District should not have a negative impact on small counties. Analysis provided by the SERC is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Developer's Engineer and other professionals associated with the Developer.

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

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

TIME AND DATE: 3:00 p.m. – 5:00 p.m., Friday, April 30, 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 RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

VILLAGES OF WESTPORT COMMUNITY DEVELOPMENT DISTRICT

42QQ-1.001 Establishment.

The Villages of Westport Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History--New.

42QQ-1.002 Boundary.

The boundaries of the District are as follows:

PARCEL "A":

(RESIDENTIAL PORTION)

A PORTION OF THE SOUTHWEST 3/4 OF THE NORTHWEST 1/4 OF SECTION 25; A PART OF THE SOUTH 1/2 OF GOVERNMENT LOT 2, SECTION 25; A PORTION OF SOUTHWEST 1/4 OF SECTION 36; TOGETHER WITH A PORTION OF THE BLOODWORTH DONATION, SECTION 38, ALL BEING IN TOWNSHIP 1 NORTH, RANGE 25 EAST, DUVAL COUNTY FLORIDA, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 25 EAST; THENCE NORTH 01°29'30" WEST ALONG THE EAST LINE OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 25 EAST, A DISTANCE OF 2,603.51 FEET TO THE NORTHWEST CORNER OF SAID BLOODWORTH DONATION, SECTION 38; THENCE NORTH 00°01'57" EAST ALONG THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 2,095.58 FEET TO THE NORTHWEST CORNER OF SAID SOUTH 3/4 OF THE NORTHWEST 1/4 OF SECTION 25; THENCE NORTH 88°35'23" EAST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 2,709.56 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 00°16'17" WEST ALONG THE WEST LINE OF GOVERNMENT LOT 2, SAID SECTION 25, A DISTANCE OF 665.00 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/20F SAID GOVERNMENT LOT 2; THENCE NORTH 89°17'07" EAST ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF GOVERNMENT LOT 2, A DISTANCE OF 1,013.00 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD (A 66 FOOT RIGHT OF WAY); THENCE THE FOLLOWING NINE (9) COURSES AND

DISTANCES ALONG SAID WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD; FIRST COURSE: SOUTH 87°36'21" WEST, A DISTANCE OF 232.16 FEET TO A POINT OF CURVATURE; SECOND COURSE: IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 988.40 FEET, AN ARC DISTANCE OF 1,341.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 48°43'50" WEST, 1,240.69 FEET; THIRD COURSE: SOUTH 09°51'18" WEST, 1,332.49 FEET TO A POINT OF CURVATURE; FOURTH COURSE: IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE WESTERLY, AND HAVING A RADIUS OF 5,696.60 FEET, AN ARC DISTANCE OF 561.75 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 12°40'48" WEST, 561.52 FEET; FIFTH COURSE: SOUTH 15°30'18" WEST, 564.38 FEET TO A POINT OF CURVATURE; SIXTH COURSE: IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY, AND HAVING A RADIUS OF 1,943. 10 FEET, AN ARC DISTANCE OF 495.95 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°11'35" WEST, 494.60 FEET; SEVENTH COURSE: SOUTH 00°52'52" WEST, A DISTANCE OF 2,599.00 FEET TO A POINT OF CURVATURE; EIGHTH COURSE: IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY, AND HAVING A RADIUS OF 5,762.60 FEET, AN ARC DISTANCE OF 141.81 FEET TO A POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 00°10'34" WEST, 141.80 FEET; NINTH COURSE: SOUTH 00°31'43" EAST, 227.25 FEET TO ITS INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF KEYES ROAD (A 60 FOOT RIGHT OF WAY); THENCE NORTH 89°54'20" WEST; ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 591.63 FEET TO THE WESTERLY TERMINUS OF SAID KEYES ROAD; THENCE SOUTH 00°20'28" WEST, ALONG SAID WESTERLY TERMINUS, A DISTANCE OF 30.00 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF SAID SECTION 36; THENCE NORTH 89°54'20" WEST ALONG SAID NORTH LINE, A DISTANCE OF 496.00 FEET TO THE NORTHWEST CORNER OF DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 3930, PAGE 603; THENCE

SOUTH 00°04'32" EAST ALONG THE WEST LINE OF SAID DEED ALSO ALONG A WESTERLY LINE OF DEED RECORDED IN SAID OFFICIAL RECORDS IN VOLUME 6693, PAGE 1952, A DISTANCE OF 336.03 FEET; THENCE NORTH 89°30'08" WEST ALONG A NORTHERLY LINE OF SAID OFFICIAL RECORDS VOLUME 6693, PAGE 1952, A DISTANCE OF 953.20 FEET TO THE WEST LINE OF SAID SECTION 36; THENCE NORTH 02°05'31" EAST ALONG SAID WEST LINE, A DISTANCE OF 329.52 FEET TO THE SOUTHWEST CORNER OF SAID BLOODWORTH DONATION, SECTION 38; THENCE NORTH 03°20'30" EAST ALONG THE EAST LINE OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 25 EAST, A DISTANCE OF 2,608.40 FEET TO THE POINT OF BEGINNING, CONTAINING 424.50 ACRES, MORE OR LESS, TOGETHER WITH; PARCEL "B":

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF KEYES ROAD (A 60 FOOT RIGHT OF WAY) WITH THE WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD (A 66 FOOT RIGHT OF WAY); THENCE SOUTH 00°3'43" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD, A DISTANCE OF 2,467.31 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF A 150 FOOT WIDE JACKSONVILLE ELECTRIC AUTHORITY RIGHT OF WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 2738, PAGE 557 (PARCEL "C"); THENCE SOUTH 89°42'00" WEST ALONG SAID NORTH LINE OF RIGHT OF WAY, A DISTANCE OF 2,143.60 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 36; THENCE NORTH 02°05'31" EAST ALONG SAID WEST LINE, A DISTANCE OF 1,724.16 FEET; THENCE SOUTH 89°38'04" EAST ALONG A SOUTHERLY LINE OF DEED RECORDED IN SAID OFFICIAL RECORDS IN VOLUME 6693, PAGE 1952, A DISTANCE OF 1,025.39 FEET; THENCE SOUTH 00°10'33" WEST ALONG A WESTERLY LINE OF LAST MENTIONED DEED, A DISTANCE OF 139.72 FEET; THENCE SOUTH 89°35'54" EAST ALONG THE MOST SOUTHERLY LINE OF SAID DEED, A DISTANCE OF 435.00 FEET; THENCE NORTH 00°20'28" EAST ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/2 OF SAID SECTION 36, A DISTANCE OF 905.72 FEET TO ITS INTERSECTION WITH PREVIOUSLY MENTIONED SOUTHERLY RIGHT OF WAY LINE OF

KEYES ROAD; THENCE SOUTH 89°54'20" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 592.54 FEET TO THE POINT OF BEGINNING;

CONTAINING 91.79 ACRES, MORE OR LESS, AND SUBJECT TO A 100 FOOT WIDE EASEMENT TO JACKSONVILLE ELECTRIC AUTHORITY OVER THE SOUTHERLY 100 FOOT OF THE ABOVE DESCRIBED PROPERTY PER DEED RECORDED IN SAID OFFICIAL RECORDS IN VOLUME 5762, PAGE 352.

TOGETHER WITH;

PARCEL "C":

A PORTION OF THE SOUTH 3/4 OF THE NORTHWEST 1/4 OF SECTION 25; PART OF THE SOUTH 1/2 OF GOVERNMENT LOT 2, SAID SECTION 25; PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 36; PART OF THE BLOODWORTH DONATION, SECTION 38, ALL IN TOWNSHIP 1 NORTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, TOGETHER WITH THE WEST 1/20F THE NORTHWEST 1/4 OF SECTION 31; THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 31; AND PART OF THE EAST 1/20F THE SOUTHWEST 1/4 OF SAID SECTION 31, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2, SECTION 25, ALSO BEING THE SOUTHWEST CORNER OF FOREST VIEW ESTATES, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 49, PAGES 52 THROUGH 52C, CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 01°24'17" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SAID BLOODWORTH DONATION, SECTION 38, A DISTANCE OF 2,707.55 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 88°50'25" EAST ALONG THE SOUTH LINE OF SAID EAST 1/2 OF THE NORTHEAST 1/4, A DISTANCE OF 1,351.88 FEET TO THE NORTHWEST CORNER OF SAID SECTION 31; THENCE NORTH 89°58'41" EAST ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 1,321.03 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE SOUTH 00°10'52" EAST ALONG THE EAST LINE OF SAID WEST 1/20F THE NORTHWEST 1/4 OF SECTION 31, A DISTANCE OF 2,648.06 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 88°57'35" EAST ALONG THE NORTH LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 637.55 FEET TO THE NORTHWEST CORNER OF SIMMONS ROAD (A 60 FOOT RIGHT OF WAY PER DEED BOOK 730, PAGE

189); THENCE SOUTH 00°19'18" EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID SIMMONS ROAD, A DISTANCE OF 2,537.14 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF A 150 FOOT JACKSONVILLE ELECTRIC AUTHORITY RIGHT OF WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 2738, PAGE 557 (PARCEL "B"); THENCE SOUTH 89°23'14" WEST ALONG SAID NORTH LINE OF RIGHT OF WAY, A DISTANCE OF 633.03 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 31; THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES AROUND SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31; FIRST COURSE: NORTH 00°59'05" WEST, 1,170.15 FEET TO THE NORTHEAST CORNER THEREOF; SECOND COURSE: SOUTH 89°22' 15" WEST, 1,315.81 FEET TO THE NORTHWEST CORNER THEREOF; THIRD COURSE: SOUTH 00°40' 33" EAST, 1,169.75 FEET TO A POINT ON THE NORTH LINE OF SAID 150 FOOT JACKSONVILLE ELECTRIC AUTHORITY RIGHT OF WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 2738, PAGE 557 (PARCEL "A"); THENCE SOUTH 89°42'00" WEST ALONG SAID NORTH LINE OF RIGHT OF WAY, A DISTANCE OF 3,367.45 FEET TO THE EASTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD (A 66 FOOT RIGHT OF WAY); THENCE THE FOLLOWING NINE (9) COURSES AND DISTANCES ALONG SAID EASTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD; FIRST COURSE: NORTH 00°31'43" WEST, 2,754.83 FEET TO A POINT OF CURVATURE; SECOND COURSE: IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY, AND HAVING A RADIUS OF 5,696.60 FEET, AN ARC DISTANCE OF 140.18 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 00°10'34" EAST, 140.18 FEET; THIRD COURSE: NORTH 00°52'52" EAST, 2,599.00 FEET TO A POINT OF CURVATURE; FOURTH COURSE: IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY, AND HAVING A RADIUS OF 1,877. 10 FEET, AN ARC DISTANCE OF 479.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 08°11'35" EAST, 477.80 FEET; FIFTH COURSE: NORTH 15°30'18" EAST, 564.38 FEET TO A POINT OF CURVATURE; SIXTH COURSE: IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE WESTERLY, AND HAVING A RADIUS OF 5,762.60 FEET, AN ARC

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district (“CDD”), the Arborwood Community Development District (“Arborwood CDD”), pursuant to Chapter 190, F.S. The petition to establish the District, filed by Worthington Holdings Southwest, LLC (“Petitioner”), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Arborwood CDD within the municipal limits of Fort Myers, in Lee County, Florida. A Notice of Receipt of Petition for the Arborwood CDD was published in the January 9, 2004, edition of the *Florida Administrative Weekly*. The land area proposed to be served by the Arborwood CDD comprises approximately 2,466.85 acres. Although the initial petition included a legal description that encompassed 2,479.13 acres, the Petitioner submitted a corrected legal description at the local public hearing revising the acreage to 2,466.85. The proposed Arborwood CDD is bounded on the west by Interstate 75, on the east by the Gateway Planned Unit Development, is south of the Sun City and Colonial Country Club developments, and north of Daniels Parkway. The lands within the proposed Arborwood CDD are undeveloped. There are no parcels located within the external boundaries of the proposed Arborwood CDD that are to be excluded from the CDD. The development plan for the proposed lands within the Arborwood CDD includes the construction of approximately 4,050 single family units, 2,450 multi-family units and 170,000 square feet of retail and office uses. The Petitioner either owns or has written consent to establish the Arborwood CDD from the owners of one hundred percent (100%) of the real property located within the proposed Arborwood CDD. The Arborwood CDD, if established, currently intends to participate in the provision of certain infrastructure improvements including roads, water and sewer utilities, stormwater management and entranceway improvements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 8 to the petition to establish the Arborwood CDD. The scope of the SERC is limited to evaluating the regulatory costs of approving the proposal to establish the Arborwood CDD. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses, small counties and small cities; (e) any additional information that the agency

determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principle entities that are likely to be required to comply with the rules include the Arborwood CDD, the State of Florida, the City of Fort Myers and Lee County. In addition, future property owners will be affected by the establishment of the proposed Arborwood CDD. Under section (b), the FLWAC and the State of Florida will incur minimal administrative costs. The City of Fort Myers will also incur one-time administrative costs that are offset by the required filing fee paid to the City of Fort Myers by Petitioner. Adoption of the proposed rule to approve the formation of the Arborwood CDD will not have adverse impact on State and local revenues. Addressing section (c), the Arborwood CDD may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the Arborwood CDD funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The Arborwood CDD may issue notes, bonds or other indebtedness to fund its improvement program. Prospective future landowners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments and other rates, fees or charges. The Arborwood CDD may also impose an annual levy for the operation and maintenance of the CDD. Under Section (d), approval of the petition to establish the Arborwood CDD will have no impact or a positive impact on all small businesses and will not have any impact on small counties and cities. The City of Fort Myers is not a small city according to Section 120.52, F.S. Lee County is not a small county as defined according to Section 120.52, F.S. Under section (e), the analysis was based on the application of economic theory with input received from the developer’s engineer and other professionals associated with the developer.

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

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

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

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

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

ARBORWOOD COMMUNITY
DEVELOPMENT DISTRICT

42RR-1.001 Establishment.

The Arborwood Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History-New _____.

42RR-1.002 Boundary.

The boundaries of the District are as follows:

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 2, 3, 10, 11, 12, 13, 14, 15, & 23, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE N.89°55'59"E. ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 12 FOR 2593.44 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 12; THENCE CONTINUE N.89°55'59"E. ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 12 FOR 69.69 FEET; THENCE S.01°05'49"E. FOR 2646.14 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 12; THENCE N.89°55'48"E. ALONG NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 12 FOR 2524.41 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 12; THENCE S.00°57'31"E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 12 FOR 2645.06 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE S.00°40'57"E. ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 13 FOR 2647.21 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 13; THENCE S.00°53'05"E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 13 FOR 2644.11 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE N.89°42'21"W. ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 13 FOR 2596.61 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 13; THENCE N.89°42'31"W. ALONG THE

SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 13 FOR 2597.48 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 13; THENCE S.88°09'06"W. ALONG THE SOUTH LINE OF SECTION 14 FOR 1353.20 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 14; THENCE S.00°56'40"E. ALONG THE WEST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 23 FOR 1321.04 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 23; THENCE S.88°07'27"W. ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 23 FOR 1351.52 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 23; THENCE S.88°07'59"W. ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 23 FOR 1353.52 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 23; THENCE N.01°01'24"W. ALONG THE WEST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 23 FOR 909.59 FEET; THENCE N.13°29'05"E. FOR 98.76 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1262.50 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°33'33" FOR 320.81 FEET; THENCE N.01°04'28"W. FOR 2645.55 FEET TO A POINT ON THE NORTH LINE OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 14; THENCE N.00°52'49"W. FOR 843.65 FEET; THENCE S.89°07'11"W. FOR 65.00 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 14; THENCE N.00°52'49"W. ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 14 FOR 477.57 FEET THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE S.88°18'58"W. ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 14 FOR 1357.95 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 14; THENCE S.89°34'25"W. ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 15 FOR 640.89 FEET TO AN

INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF I-75; THENCE N.08°21'16"E. ALONG THE EAST RIGHT-OF-WAY LINE OF I-75 FOR 1925.01 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 5891.58 FEET; THENCE NORTHWESTERLY ALONG SAID EAST RIGHT-OF-WAY LINE OF I-75 AND SAID CURVE THROUGH A CENTRAL ANGLE OF 23°11'09" FOR 2384.14 FEET; THENCE N.14°49'51"W. ALONG SAID EAST RIGHT-OF-WAY LINE OF I-75 FOR 2886.26 FEET TO AN INTERSECTION WITH THE CENTERLINE OF A WATER MANAGEMENT EASEMENT DESCRIBED IN OFFICIAL RECORD BOOK 2558, PAGE 2002, LEE COUNTY, FLORIDA; THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 230.00 FEET, THROUGH A CENTRAL ANGLE OF 63°11'11" FOR AN ARC DISTANCE OF 253.65 FEET, A CHORD BEARING OF S.75°49'31"E. A CHORD DISTANCE OF 240.99 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 710.00 FEET, THROUGH A CENTRAL ANGLE OF 46°08'48" FOR 571.84 FEET; THENCE N.89°37'18"E. FOR 354.32 FEET; THENCE S.50°15'11"E. FOR 144.85 FEET TO THE BEGINNING OF A NON-TAGENT CURVE TO THE LEFT HAVING A RADIUS OF 600.00 FEET; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 84°17'37" FOR 882.72 FEET, A CHORD BEARING OF N.87°36'01"E. A CHORD DISTANCE OF 805.24 FEET; THENCE N.45°27'12"E. FOR 398.60 FEET; THENCE N.67°03'34"E. FOR 478.36 FEET; THENCE N.34°14'49"E. FOR 127.19 FEET; THENCE N.23°40'29"E. FOR 475.63 FEET; THENCE N.06°52'49"W. FOR 109.55 FEET; THENCE N.36°30'44"E. FOR 109.13 FEET; THENCE N.20°42'13"E. FOR 118.75 FEET; THENCE N.60°38'04"E. FOR 92.29 FEET; THENCE N.74°41'42"E. FOR 85.73 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF TREELINE BOULEVARD; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING COURSES; THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 2800.06 FEET THROUGH A CENTRAL ANGLE OF 05°12'07" AN ARC DISTANCE OF 254.22 FEET A CHORD BEARING OF S.01°14'59"E. A CHORD DISTANCE OF 254.14 FEET; THENCE S.03°51'03"E. FOR 959.31 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2500.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°28'22" FOR 195.16 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 11; THENCE N.89°04'48"E. ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 11 FOR 576.50 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 11; THENCE

N.89°03'32"E. ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 11 FOR 2645.22 FEET TO THE POINT OF BEGINNING CONTAINING 2479.13 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN) BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 12 BEING N.89°55'59"E.

LESS & EXCEPT:

A TRACT OR PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, IN SECTIONS 2 AND 11, TOWNSHIP 45 SOUTH, RANGE 25 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 2; THENCE S 89°03'32" W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 2 FOR 2645.22 FEET; THENCE S 89°04'48"W. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 2 FOR 451.46 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF TREELINE AVENUE AND THE POINT OF BEGINNING; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING BEARINGS AND DISTANCES: THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2625.00 FEET (DELTA 29°12'53") (CHORD BEARING S 15°09'21" W) (CHORD 1324.02 FEET) FOR 1338.47 FEET TO A POINT OF TANGENCY; THENCE S 29°45'48" W FOR 618.63 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1487.50 FEET (DELTA 28°50'26") BEARING S 15°20'35" W) (CHORD 740.87 FEET) FOR 748.75 FEET TO A POINT OF TANGENCY; THENCE S 00°55'22" W FOR 166.15 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 11; THENCE S 88°35'19" W ALONG SAID LINE FOR 125.10 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF TREELINE AVENUE; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING BEARINGS AND DISTANCES: THENCE N 00°55'22" E FOR 171.24 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1612.50 FEET (DELTA 28°50'26") (CHORD BEARING N 15°20'35" E) (CHORD 803.13 FEET) FOR 811.67 FEET TO A POINT OF TANGENCY; THENCE N 29°45'48" E FOR 618.63 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2500.00 FEET (DELTA 33°36'51") (CHORD BEARING N 12°57'22" E) (CHORD 1445.75 FEET) FOR 1466.69 FEET TO A POINT OF TANGENCY; THENCE N 03°51'03" W FOR 959.31 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2800.06 FEET (DELTA 05°12'07") (CHORD

BEARING N 01°14'59" W) (CHORD 254.14 FEET) FOR 254.22 FEET; THENCE S 88°38'56" E FOR 125.00 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF TREELINE AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING BEARING AND DISTANCES: THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2675.06 FEET(DELTA 05°12'07") (CHORD BEARING S 01°14'59" E) (CHORD 242.79 FEET) FOR 242.87 FEET TO A POINT OF TANGENCY; THENCE S 03°51'03" E FOR 959.31 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2625.00 FEET (DELTA 04°23'58") (CHORD BEARING S 01°39'04" E) (CHORD 201.51 FEET) FOR 201.56 FEET TO THE POINT OF BEGINNING.
CONTAINING 12.28 ACRES, MORE OR LESS.
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN) BEARINGS ARE BASED ON THE SOUTH LINE OF SECTION 2, TOWNSHIP 45 SOUTH, RANGE 25 EAST AS BEARING S 89°03'32"W.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History-New _____.

42RR-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: John Gangey, Jeff Darragh, Glenn Cribbett, John Asher and Ron Zul.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History-New _____.

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

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 2004

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
General Regulations	60A-1
RULE TITLE:	RULE NO.:
Purchase of Commodities and Contractual Services	60A-1.002

PURPOSE AND EFFECT: The purpose of this rule amendment is to reorganize and clarify various items related to agency and Departmental procurement issues, and to remove

matters unrelated to the primary subject of Rule 60A-1.002, F.A.C. These other matters have been or will be moved to other existing sections or to new sections of the Administrative Code, as appropriate.

SUMMARY: The rule clarifies certain aspects of agency purchasing authority (i.e., exemption details and PUR form requirements), and removes several subsections.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 15.18(7), 287.042(4),(13), 287.017 FS.

LAW IMPLEMENTED: 119.07(3), 216.311, 287.012, 287.042(1),(4),(14), 287.057(1),(3),(4), 287.0595, 287.133, 288.121(5), 288.703, 288.705, 695.25 FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004
 PLACE: Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.002 Purchase of Commodities and Contractual Services.

(1) Agencies are delegated the conditional authority to purchase commodities or contractual services (except insurance, unless permitted pursuant to Section 287.022, F.S.) The conditions of this delegation are (i) that the agencies comply with the requirements of subsection 287.042(13), F.S.; (ii) that State Purchasing retains the full supervisory authority provided by that subsection; and (iii) that State Purchasing reserves the right to rescind the authority delegated to all agencies by amendment to this rule and reserves the right to rescind the authority delegated to an agency for failure to comply with that subsection. If State Purchasing proposes to rescind an agency's authority, it shall give the agency notice pursuant to subsection 60-4.013(2), F.A.C. It is recommended that agencies use the state purchasing card for all procurements, especially for purchases \$2,500 or below.

(2) Purchases with value below \$2,500 shall be carried out using good purchasing practices. ~~Such practices which may include but are not be limited to the receipt of written quotations or written records of telephone quotations.~~

(3) Purchases which meet or exceed \$2,500, but are less than or equal to the threshold for Category Two may be made using written quotations, ~~or~~ written records of telephone quotations, or informal bids to be opened upon receipt, whenever practical. ~~If the agency receives~~ Should verbal quotations be received, the name and address of each respondent company and the amount quoted shall be a part of the written documentation. ~~If the agency receives less than at least two quotations are not received, it must include a statement as to why additional quotes they were not received must be shown.~~ If the agency determines that commodities or contractual services are available only from a single source, or that conditions warrant negotiation on the best terms and conditions, the agency may proceed with the procurement. The agency shall document the conditions and circumstances used to determine the procurement method.

~~(4)(3) Competitive Sealed Bids or Negotiations or Proposals Required on Purchases Exceeding the Threshold Amount for Category Two.~~

~~(a) In accordance with Chapter 287, F.S., all purchases for which the total contract value is in excess of the threshold amount for Category Two for a commodity or group of commodities or contractual service shall be made by first securing formal competitive solicitations, unless an exemption applies, sealed bids, negotiations or proposals except as provided in Section 287.057(3), F.S., or Rules 60A-1.008, 60A-1.009, and 60A-1.010, F.A.C. The following purchases are not subject to competitive solicitation requirements.~~

~~(a) Regulated Utilities and government franchised services.~~

~~(b) Regulated Public communications, except long distance telecommunications services or facilities.~~

~~(c) Artistic services, which include any artistic work performed by an artist, as defined in Section 287.012(3), F.S., including cases in which the acquisition requires that the artist furnish a commodity created through the artistic work.~~

~~(d) An academic program review, defined as a structured evaluation of the relative merits of an established university or secondary educational program or program component conducted by recognized experts in the field of study and resulting in a written report with specific recommendations.~~

~~(e) Lectures by individuals. A lecture is a formal or methodical reading or presentation on any subject, but it is not intended to be used for the purpose of, or in connection with, training of personnel.~~

~~(f) Auditing services, which are services provided by a licensee under Chapter 473, F.S., in which the licensee attests as an expert in accountancy to the reliability or fairness of presentation of financial information or utilizes any form of~~

~~disclaimer of opinion which is intended or conventionally understood to convey an assurance of reliability as to matters not specifically disclaimed.~~

~~(g) Promotional services and events purchased from donated funds by the Secretary of State for purposes provided in Section 15.18(7), F.S.~~

~~(h) Payments for membership dues pursuant to Section 216.345, F.S.~~

~~(i) Examinations approved in accordance with Section 455.217(1)(c), F.S.~~

~~(j) Adoption placement services licensed by the Department of Children and Families.~~

~~(k) Other purchases identified in Section 287.057(5)(f), F.S.~~

~~(l) Purchases from alternate contract sources, pursuant to Section 287.042(16), F.S.~~

~~(m) Purchases made by agencies pursuant to Section 287.056(1), F.S., from state term contracts competitively procured by the Department.~~

~~(5)(b) When determining the amount or amounts of purchases for the purpose of applying the threshold categories, agencies shall follow the definitions and classes and groups of commodities or contractual services established by the Department. Acquisitions shall be reviewed and considered on an agency-wide basis, except that acquisitions by agencies with decentralized purchasing functions shall be considered and reviewed on the basis of each purchasing office that maintains full-time purchasing staff. A purchasing office shall not divide its purchases or its purchasing operations to circumvent these requirements. Determination of the threshold amount for Category Two for lease or rental is based on a twelve (12) month period of time. Extension of a contract for an additional period of time is not subject to this provision.~~

~~(6) In any procurement which exceeds the threshold amount for Category Two and that is accomplished without competition, the individuals taking part in the development or selection criteria for evaluation, the evaluation process, or the award process shall attest in writing that they are independent of, and have no conflict of interest in, the entities evaluated and selected. The attestation shall be placed in the agency file.~~

~~(e) The following purchases are not subject to the competitive sealed bid or negotiation or proposal requirements of subsection 60A-1.002(2), F.A.C. Purchases described in Section 287.057(3)(f), F.S., as well as those described below do not require approval from State Purchasing:~~

~~1. Regulated Utilities and government franchised services.~~

~~2. Regulated Public communications, except long distance telecommunications services or facilities.~~

~~3. Artistic services, academic program reviews, lectures by individuals. Artistic services include any artistic work performed by an artist, as defined in Section 287.012(3), F.S., including cases in which the acquisition requires that the artist furnish a commodity created through the artistic work. An~~

academic program review is a structured evaluation of the relative merits of an established university or secondary educational program or program component conducted by recognized experts in the field of study and resulting in a written report with specific recommendations. A lecture is a formal or methodical reading or presentation on any subject, but it is not intended to be used for the purpose of, or in connection with, training of personnel.

4. Auditing services, which are services provided by a licensee under Chapter 473, F.S., in which the licensee attests as an expert in accountancy to the reliability or fairness of presentation of financial information or utilizes any form of disclaimer of opinion which is intended or conventionally understood to convey an assurance of reliability as to matters not specifically disclaimed.

5. Promotional Services and Events purchased from donated funds by the Secretary of State for purposes provided in Section 15.18(7), F.S.

6. Payments for membership dues pursuant to Section 216.345, F.S.

7. Examinations approved in accordance with Section 455.217(1)(e), F.S.

8. Adoption placement services licensed by the Department of Children and Families.

(d) Agencies are delegated the conditional authority to purchase commodities or contractual services (except insurance). The conditions of this delegation are (i) that the agencies comply with the requirements of subsection 287.042(13), F.S.; (ii) that State Purchasing retains the full supervisory authority provided by that subsection; and (iii) that State Purchasing reserves the right to rescind the authority delegated to all agencies by amendment to this rule and reserves the right to rescind the authority delegated to an agency for failure to comply with that subsection. If State Purchasing proposes to rescind an agency's authority, it shall give the agency notice pursuant to subsection 60 4.013(2), F.A.C.

(e) Except for those contracts initially procured pursuant to Section 287.057(3)(a) or (3)(e), F.S., contracts for commodities or contractual services may be renewed for an additional term not to exceed the original contract period unless the original contract period is 24 months or less, in which case the contract may be renewed up to 2 one year periods. Renewal of the contract shall be by mutual agreement in writing and shall be subject to the same terms and conditions set forth in the initial contract. Vendors shall include the cost of any contemplated renewals in bids and proposals and responses to invitations to negotiate. Renewals shall be contingent upon satisfactory performance evaluations by the agency.

(4)(a) Legal Advertisements — All purchases of commodities or contractual services in excess of the threshold amount for Category Two shall be advertised in the Florida

Administrative Weekly or the Florida Communities Network no less than ten (10) calendar days prior to the bid opening for invitations to bid or opening for requests for proposals or invitations to negotiate. If the head of an agency or his or her designee determines that an unusual problem exists, and to delay the bidding to provide an opportunity for advertising would be detrimental to the interest of the agency, then, and in such event, the head of such agency or the designee shall document agency file including with particularity the conditions and circumstances requiring waiver of advertising prior to the opening of the bids or proposals or responses to invitations to negotiate.

(b) Advertisement in the Florida Administrative Weekly or Florida Communities Network is not required for the reissuance of an invitation to bid, invitation to negotiate or request for proposals if the agency advertised the original bid negotiation or proposal solicitation in the Florida Administrative Weekly or Florida Communities Network and the agency mails notice of the reissuance of the bid, negotiation or proposal solicitation to all vendors that were mailed notice of the original solicitation and to all bidders or offerors that responded to the original solicitation, excluding any vendor that responded with an indication of no interest.

(5) Receipt of No Competitive Sealed Bids — Bids or Proposals or Offers to Negotiate in the First Invitation to Bid or Request for Proposal or Invitation to Negotiate on Commodities or Contractual Services — When no competitive sealed bids or proposals or offers to negotiate are received for the purchase of a commodity or group of commodities or contractual services in response to the sealed bid or proposal or negotiation solicitation, the agency shall review the situation in order to determine the reasons, if any, why none was received before issuing a second invitation; provided, however, if the agency determines that commodities/contractual services are available only from a single source, or that conditions and circumstances warrant negotiation on the best terms and conditions, the agency's intended decision shall be posted in accordance with Section 120.57(3), F.S., before the agency may proceed with procurement. The agency shall document the agency file as to the conditions and circumstances used to determine the decision to proceed without a second call for competition.

(6) Copy of Invitation To Bid, Invitation to Negotiate or Request for Proposal of Commodities or Contractual Services to be forwarded to the Florida Small Business Development Center Procurement System. Agencies shall comply with Section 288.705, F.S., and shall upon request, furnish to State Purchasing a copy of any or all invitations to bid, invitations to negotiate or requests for proposals. The agency's providing of copies of invitations to bid, invitations to negotiate or requests for proposals to State Purchasing, or anything else herein, will

not relieve the agency of its responsibilities or serve as State Purchasing's approval of the invitation to bid, invitation to negotiate or request for proposals.

(7) Conditions to be Included in Formal Invitations to Bid, Invitations to Negotiate and Requests for Proposal for Commodities and Contractual Services.

(a) All formal solicitations invitations to bid issued by an agency shall include the standard "General Contract Conditions" Form PUR 1000 (03/02), and the standard "Instructions to Respondents" Form PUR 1001 (03/02), each of which is hereby incorporated by reference. Pursuant to Rule 60A-1.041, F.A.C., the agency may attach additional materials (e.g., "Special Contract Conditions") that contain additional terms and conditions. ~~State of Florida Invitation to Bid Bidder Acknowledgment" Form PUR 7028 (Rev. 6-1-98), for commodities, "State of Florida Invitation to Bid Bidder Acknowledgment Contractual Services", Form PUR 7031 (Rev. 6-1-98), for contractual services which is hereby incorporated by reference and shall contain a statement informing persons of the provisions of paragraph (2)(a) of Section 287.133, F.S. An invitation to bid must describe the commodities or services and require prices to be stated. If an agency contemplates a renewal of the commodities or contractual service contract, the Invitation to Bid shall so state with sufficient information, including the contract period(s) of renewal, to enable each bidder to bid on the contract including renewal(s), and in such case the contract award shall be made based upon an evaluation of bids for the entire contract period including renewal(s). A formal invitation to bid, request for proposal or invitation to negotiate shall be mailed at least 10 days prior to the date set for submittal of responses. Contracts that limit the liability of a vendor shall be consistent with Section 672.719, F.S. The purchase order or contract shall be awarded with reasonable promptness by written notice to the responsive and responsible qualified bidder who submits the lowest responsive bid. The bid evaluation must be determined in writing to meet the requirements and criteria set forth in the Invitation to Bid.~~

(b) All invitations to negotiate issued by an agency shall include the standard "State of Florida Invitation to Negotiate Acknowledgment" Form PUR 7105 (Rev 6-1-98) which is hereby incorporated by reference and shall contain a statement informing persons of the provisions of paragraph (2)(a) of Section 287.133, F.S. Invitations to negotiate shall include a statement of commodities or services sought, contractual terms and conditions applicable and the date and time for submittal of response. If the agency contemplates a renewal of the commodity or contractual services contract, the invitation to negotiate shall so state and shall also provide sufficient information, including the contract period(s) of renewal, to enable each proposer's submittal to cover the entire contract period including renewal(s). To assure full understanding and responsiveness of submittal of response to invitation to

~~negotiate, discussions may be conducted with qualified proposers. Invitation to negotiate shall be mailed at least 10 days prior to the date set for submittal of responses. Contracts that limit the liability of a vendor shall be consistent with Section 672.719, F.S.~~

(c) All formal requests for proposal issued by an agency shall include the standard "State of Florida Request for Proposal Commodities Acknowledgment" Form PUR 7051 (Rev. 6-1-98), or "State of Florida Request for Proposal Contractual Services Acknowledgment" Form PUR 7033 (Rev. 6-1-98), which is hereby incorporated by reference and shall contain a statement informing persons of the provisions of paragraph (2)(a) of Section 287.133, F.S. Request for proposal shall include a statement of commodities or services sought, all contractual terms and conditions applicable, and the date and time for submittal of proposals. If the agency contemplates a renewal of the commodity or contractual services agreement, the request for proposal shall so state and shall also provide sufficient information, including the contract period(s) of renewal, to enable each offeror to submit an offer on the contract including renewal(s), and in such case the contract award shall be made based on an evaluation of proposals for the entire contract period including renewal(s). To assure full understanding of and responsiveness to the solicitation requirements, discussions may be conducted with qualified offerors. Notice of Request for Proposal shall be mailed at least 28 days prior to the date set for submittal of proposals. Contracts that limit the liability of a vendor shall be consistent with Section 672.719, F.S.

(d) All bid, negotiation or proposal solicitations for contracts which require payment for more than one (1) year and include unequal payment streams or unequal time payment periods shall include a condition stating that the evaluation will use present value methodology with the present value discount rate as supplied by the Department of Management Services upon request, which shall be the rates identified in the Interest Rates: Money and Capital Markets Section published in the Federal Reserve Bulletin for the last published month at the time of issuance of the invitation to bid, invitation to negotiate or request for proposals. If the bid, negotiation or proposal requires the use of present value methodology in the evaluation, the invitation to bid, invitation to negotiate or request for proposals shall state the present value discount rate which will be used in the computations and evaluation.

(9) Right to Reject Bids or Negotiations or Proposals for Commodities/Contractual Services — The agency shall reserve the right to reject any or all bids or negotiations or proposals and such reservation shall be indicated in all advertising and invitations to bid, invitations to negotiate and requests for proposal.(8) Request to Withdraw Bid or Negotiation or Proposal for Commodities or Contractual Services — Requests for withdrawal may be considered if received by the agency, in writing, within 72 hours after the bid or negotiation or proposal

opening time and date. Requests received in accordance with this provision may be granted by the agency upon proof of the impossibility to perform based upon an obvious error on the part of the bidder or offeror.

~~(10) Right to Waive Minor Irregularities for Commodities/Contractual Services—The agency shall reserve the right to waive any minor irregularities in an otherwise valid bid or proposal or offer to negotiate. Variations which are not minor cannot be waived.~~

~~(11) Bid Modification for Commodities or Contractual Services—A bidder or offeror may not modify its bid or proposal after bid or proposal opening. Mistakes in an arithmetic extension of pricing may be corrected by the agency.~~

~~(12) Bid Borrowing Commodities or Contractual Services—The practice of bid or proposal or negotiation submittal borrowing (the use of a bid or proposal or submittal received in response to another invitation to bid or request for proposals or invitation to negotiate) does not satisfy the requirement of Section 287.057, F.S., and is prohibited.~~

~~(13) Inspection or Examination of Sealed Bids, Responses to Invitations to Negotiate and Proposals for Commodities and Contractual Services—Sealed bids and proposals and negotiation submittals are not public records, subject to the provisions of Section 119.07(1), F.S., until such time as the agency provides notice of a decision or intended decision pursuant to Section 120.57(3)(a), F.S., or within 10 days after bid or negotiation or proposal opening, whichever is earlier. The 10-day period does not include the date of the notice or opening. When the invitation to bid, invitation to negotiate or request for proposal require the response to be placed in two separately sealed envelopes to be submitted simultaneously and not opened on the same date, the 10-day period begins the day after the opening of the second envelope. Bid or negotiation or proposal opening shall be public at the date and time and at the place specified in the solicitation. Openings and negotiations shall be conducted in a manner to comply with confidentiality and exemption requirements of Section 815.045, F.S., or other applicable statutes. Pollution response action contracts as provided in Section 287.0595, F.S., are confidential and exempt from the provisions of Section 119.07(1), F.S., until selection is made and a contract signed, or until bids or proposals are no longer under active consideration. This exemption is subject to Section 119.14, F.S. The opening shall be conducted by an employee of the agency and witnessed by at least one other employee of the agency. Bid or negotiation or proposal tabulation sheets shall be completed simultaneously with the public reading of prices whenever appropriate. Upon completion of the tabulation, a copy shall be made accessible for inspection by any interested party.~~

~~(14) Cancellation Clause—Any lease contract of commodities must include a cancellation clause of 30, 60, or 90 days, whichever is determined by the agency to be the period of time necessary to procure a substitute contract. This only applies to fixed period lease contracts such as annual lease, two year lease, etc.~~

~~(15) Installment Sale and Purchase Contracts—Installment sale and purchase contracts shall be accomplished on the State of Florida Contract for “Installment Sale and Purchase”, Form PUR 7057 (Rev. 11-15-86), which is hereby incorporated and published by reference and is approved for use by all State agencies. The use of such contracts by State agencies shall be subject in each instance to preaudit review and prior approval of the Comptroller of the State and shall contain the statement, “The State of Florida’s performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature”. Refinancing Installment Sale and Purchase contracts are permitted only to take advantage of a lower interest rate than that of the initial transaction or other instances of lower overall cost to the State. Refinancing for a longer period than the term of the original financing is prohibited. Payment schedules shall provide for either quarterly or semi-annual payment in advance to minimize amount of interest paid. Initial payment may be made on a pro rata basis to accommodate fiscal year funding. Any exception to the provisions of this section requires justification to and prior approval of State Purchasing.~~

~~(16) No Substitute—Use of the term “no substitute” shall be used only when absolutely required. The term “or equivalent” shall be used wherever an identifiable brand name or process is included in the specification.~~

~~(17) District Bidding—State Purchasing has divided the State into four principal districts, as follows:~~

~~(a) Western District, consisting of counties of Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun, Gulf, Liberty, Franklin, Gadsden, Wakulla, Leon, Jefferson, Taylor, Madison, Lafayette, Dixie.~~

~~(b) Northern District, consisting of the counties of Gilchrist, Alachua, Union, Bradford, Baker, Nassau, Duval, Clay, Putnam, St. Johns, Flagler, Volusia, Marion, Levy, Hamilton, Suwannee, Columbia.~~

~~(c) Central District, consisting of the counties of Citrus, Sumter, Lake, Hernando, Seminole, Orange, Pasco, Pinellas, Hillsborough, Polk, Osceola, Brevard, Indian River, Manatee, Hardee, Highlands, Okeechobee, St. Lucie, Sarasota, DeSoto, Charlotte, Lee.~~

~~(d) Southern District, consisting of the counties of Glades, Martin, Hendry, Palm Beach, Collier, Broward, Monroe, and Dade.~~

~~State Purchasing may modify the composition of these districts when deemed necessary for bidding purposes.~~

Specific Authority 15.18(7), 287.017, 287.042(4),(13) FS. Law Implemented 119.07(3), 216.311, 287.012, 287.042(1),(4),(14), 287.057(1),(3),(4), 287.0595, 287.133, 288.121(5), 288.703, 288.705, 695.25 FS. History—New 5-20-64, Amended 4-4-67, Revised 2-6-68, Amended 2-8-69, Revised 5-20-71, Amended 7-31-75, 10-1-78, Revised 11-14-79, Amended 8-18-80, 8-6-81, 10-13-83, 3-1-84, 3-14-84, 11-12-84, 2-28-85, 12-17-85, Formerly 13A-1.02, Amended 6-5-86, 2-9-87, 11-3-88, 1-18-90, 4-10-91, 9-1-92, Formerly 13A-1.002, Amended 4-24-94, 1-9-95, 1-1-96, 3-21-96, 9-23-96, 7-6-98, 1-2-00,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

RULE TITLE: Standards and Specifications RULE NO.: 60A-1.007

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the Department’s duties and obligations to assist other agencies in creating solicitations.

SUMMARY: The rule clarifies the Department’s mandatory and voluntary contributions to agency solicitations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(13) FS.

LAW IMPLEMENTED: 287.001, 287.042(2),(6),(7),(8),(11), 287.045(5) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.007 Standards and Specifications.

(1) ~~The Department shall~~ ~~Duties~~ ~~It shall be the duty of State Purchasing to~~ formulate, adopt, establish, or modify standards and specifications applying to all State purchases of commodities or contractual services.

(a) An agency retains the authority to adopt, establish, or modify those standards and specifications included in agency solicitations that the Department has delegated to the, except for standards and specifications applicable to commodities purchased by agencies under subsection authority delegated pursuant to paragraph 60A-1.002(1)(2)(e), F.A.C. The Department State Purchasing may rescind the delegated authority to agencies at any time, including the delegation for preparation of standards and specifications for commodities and contractual services. When it is in the best interest of the State, the Department may require certain terms and conditions to be included in agency contracts.

(2) ~~Receipt and Inspection of Goods shall be in accordance with the latest revision of the Standards Guide revised October 15, 1996, published by State Purchasing. That publication is incorporated into this section, by reference, as rules of the department.~~

Copies may be obtained at room 335.01, 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

(b) ~~(3)~~ When developing specifications for a solicitation, ~~an invitation to bid,~~ each agency shall include materials contained in Rule 60A-1.041, F.A.C. and, when applicable, use the format and requirements of the Standards Guide promulgated by the Department.

(c) In situations where materials are likely to become litter, specifications for recyclable contents and degradable material should be considered and awarded in accordance with Section 287.045, F.S.

(2) ~~(4)~~ ~~The Department State Purchasing~~ may assist agencies in the writing of standards and specifications for solicitations ~~invitations to bid or requests for proposals.~~ Agencies shall incorporate changes to the standards and specifications required ~~recommended~~ by the Department State Purchasing.

Specific Authority 287.042(13) FS. Law Implemented 287.001, 287.042(2),(6),(7),(8),(11), 287.045(5) FS. History—New 2-6-68, Revised 5-20-71, Amended 7-31-75, 10-1-78, 8-6-81, 10-13-83, Formerly 13A-1.07, Amended 11-3-88, 1-18-90, 4-10-91, Formerly 13A-1.007, Amended 1-1-96, 7-6-98, 1-2-00,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations
 RULE CHAPTER NO.: 60A-1
 RULE TITLE: Purchasing Categories and Adjustments Thereto
 RULE NO.: 60A-1.012

PURPOSE AND EFFECT: The purpose of this rule is to move the substantive rules regarding Purchasing Categories out of the definitions section of Chapter 60A-1, F.A.C., and to modernize the rule.

SUMMARY: The rule provides additional detail (as required by statute) regarding the Department’s method for establishing and modifying the official Purchasing Categories.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12), 287.017(2) FS.

LAW IMPLEMENTED: 287.017 FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004
 PLACE: Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399-0950
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Brown, State Purchasing, 4050 Esplanade Way, Tallahassee, Florida 32399-0950, (850)488-3049, (850)414-6122 (facsimile), brownr2@dms.state.fl.us (e-mail)

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.012 Purchasing Categories and Adjustments Thereto.

(1) Purchasing Categories. The following threshold categories are established:

- (a) Category One: \$15,000.
- (b) Category Two: \$25,000.
- (c) Category Three: \$50,000.
- (d) Category Four: \$150,000.
- (e) Category Five: \$250,000.

(2) Adjustments to Purchasing Categories. State Purchasing may adjust the dollar amount for the purchasing categories based on the April publication of the United States Department of Commerce Survey of Current Business Table 7.11B, using the price index for state and local government. The amounts for the threshold categories will be adjusted as follows:

(a) The rate of adjustment applicable to the threshold amounts is the percent increase or decrease in the chain-type price index from the base year value for 1992, which is 97.9, through the year previous to the year of annual adjustment as shown in the United States Department of Commerce Survey of Current Business as referenced above.

(b) This rate of adjustment is applied to the base threshold amounts to calculate the threshold amount for the year of adjustment.

The following formula illustrates this method: Threshold for Year of Adjustment = Base Threshold × [Price Index in April Publication for the Year Prior to the Year of Adjustment divided by 97.9]

(3) Timing and Application of Categories. Notwithstanding the point in time in which payment is made for the commodities or services, for the purpose of applying the threshold categories to a purchase, the earliest of the following dates shall govern:

- (a) The date on which the solicitation is issued.
- (b) The date the purchase order is issued.
- (c) The date on which the contract is entered into.

Specific Authority 287.042(12), 287.017(2) FS. Law Implemented 287.017 FS. History--New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations
 RULE CHAPTER NO.: 60A-1
 RULE TITLE: Contract and Purchase Order Requirements
 RULE NO.: 60A-1.016

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify the details regarding requirements that must be included in all agency contracts and purchase orders, and re-organizes existing Chapter 60A-1, F.A.C., rule material in a more logical fashion.

SUMMARY: The rule details the various statutory requirements (from Chapters 287, 946, 413, and 672, F.S.) of all agency contracts and purchase orders.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.032, 287.042 FS.

LAW IMPLEMENTED: 287.017, 287.042, 287.057, 287.058, 287.133 FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.016 Contract and Purchase Order Requirements for Contractual Services.

(1) Threshold Requirements.

(a) Prior to making a purchase, an agency should review current surplus property certifications to utilize commodities listed therein to the maximum extent practicable.

(b) All purchases shall be in writing or through the State's Purchasing Card Program.

(2) Contract Requirements.

(a) Contract Terms A written agreement in excess of the threshold amount of Category Two shall be signed by the agency head and the ~~vendor contractor~~ prior to the rendering of the contractual services and/or the delivery of the commodity, except in the case of a valid emergency as certified by the agency head. If the agency chooses to procure commodities or contractual services by purchase order in lieu of a written agreement, ~~then~~ the purchase order shall be signed by the authorized purchasing or contracting personnel. When there is no emergency and the agency fails to have the written agreement signed as required ~~prior to rendering of the service~~, the agency head, no later than 30 days after the vendor contractor begins rendering the service and/or delivering the commodity, shall certify the conditions and circumstances as well as action taken to prevent reoccurrence, to State Purchasing using the "Notice of Non-Compliance." Form PUR

1010, which is hereby incorporated by reference. "Exceptional Purchase Request /Authorization/Certification" Form PUR 7006 (Rev. 6-1-98). Pursuant to Section 287.058(2), F.S., the agency shall also send a copy of this form to the Chief Financial Officer with the voucher authorizing payment.

(b) Any contract which binds the state or its executive agencies for purchases for a period continuing beyond the fiscal year shall include the following statement: "The State of Florida's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature."

(c) Any contract between an agency and a private contract vendor shall contain the language provided in Sections 413.036(3) and 946.515(6), F.S., if at the time the contract is entered into, any product or service which is the subject of, or required to be carried out, the contract has been certified by the Department of Management Services as a correctional work program item or is on the procurement list of the qualified nonprofit agency for the blind or for the other severely handicapped.

(d) All contracts that limit the liability of a contractor shall be consistent with Section 672.719, F.S.

(3) Purchase Order Requirements. To the extent that these requirements are not superceded by an electronic procurement system, the chief procurement officer of each agency is responsible for:

(a) Securing all unused purchase orders in a safe place and restricting access to these documents.

(b) Maintaining a file and accounting system for all consecutive purchase orders issued or voided.

(c) Maintaining a record of persons authorized to issue and sign each type of purchase order.

(d) Monitoring and reviewing processes for the use of blanket purchase orders and field purchase orders.

The agency is also responsible for ensuring that all purchase orders contain the solicitation number (if applicable), statements regarding the quantity, description, and price of goods or services ordered; applicable terms as to payment, discount, date of performance, and transportation; and liquidated damages, if appropriate.

Specific Authority 287.032, 287.042 FS. Law Implemented 287.017, 287.042, 287.057, 287.058, 287.133 FS. History—New 8-6-81, Amended 11-4-82, 2-13-83, 5-26-83, 10-13-83, 5-10-84, 11-12-84, 12-17-85, Formerly 13A-1.16, Amended 6-5-86, 2-9-87, 11-3-88, 1-18-90, 4-10-91, Formerly 13A-1.016, Amended 4-24-94, 1-9-95, 1-1-96, 3-24-96, 7-6-98, 1-2-00, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations
 RULE CHAPTER NO.: 60A-1
 RULE TITLE: Purchasing Districts
 RULE NO.: 60A-1.020

PURPOSE AND EFFECT: The purpose of this rule is to re-organize existing materials, and describe State Purchasing’s statewide district breakdown.

SUMMARY: The rule names the counties found in each of State Purchasing’s four (4) districts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.042(3),(4) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.020 Purchasing Districts.

(1) State Purchasing has divided the State into four principal districts. State Purchasing may modify the composition of these districts when deemed necessary for solicitation purposes.

(a) The Western District consists of the counties of Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun, Gulf, Liberty, Franklin, Gadsden, Wakulla, Leon, Jefferson, Taylor, Madison, Lafayette, and Dixie.

(b) The Northern District consists of the counties of Gilchrist, Alachua, Union, Bradford, Baker, Nassau, Duval, Clay, Putnam, St. Johns, Flagler, Volusia, Marion, Levy, Hamilton, Suwannee, and Columbia.

(c) The Central District consists of the counties of Citrus, Sumter, Lake, Hernando, Seminole, Orange, Pasco, Pinellas, Hillsborough, Polk, Osceola, Brevard, Indian River, Manatee, Hardee, Highlands, Okeechobee, St. Lucie, Sarasota, DeSoto, Charlotte, and Lee.

(d) The Southern District consists of the counties of Glades, Martin, Hendry, Palm Beach, Collier, Broward, Monroe, and Dade.

(2) State Purchasing may modify the composition of these districts when deemed necessary for bidding purposes.

Specific Authority 287.042(12) FS. Law Implemented 287.042(3),(4) FS. History–New _____

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations
 RULE CHAPTER NO.: 60A-1
 RULE TITLE: Electronic Posting of Decisions and Intended Decisions
 RULE NO.: 60A-1.021

PURPOSE AND EFFECT: The purpose of this rule is to reorganize materials previously mentioned elsewhere in Chapter 60A-1, F.A.C., and describe agency requirements relating to electronic posting.

SUMMARY: The rule modernizes the electronic posting requirements to aggregate relevant subjects in one rule, and to meet statutory requirements of Chapter 120, F.S. and Rule 28-110, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.042(3)(b),(2) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004
PLACE: Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.021 Electronic Posting of Decisions and Intended Decisions.

(1) All agency decisions or intended decisions (as defined in Rule 28-110.002, F.A.C.) shall be electronically posted on the myflorida.com website. All competitive solicitations issued by agencies pursuant to Sections 287.057(1)-(3), F.S. shall be advertised by electronic posting for no less than 10 calendar days prior to the date for receipt of responses. If the agency head or his or her designee determines that an unusual problem exists and the 10 day period would be detrimental to the interest of the agency, the agency head or the designee shall document the contract file with the conditions and circumstances requiring waiver of advertising for less than 10 calendar days.

Specific Authority 287.042(12) FS. Law Implemented 287.042(3)(b)(2) FS. History-New

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

RULE TITLE: Solicitation Requirements RULE NO.: 60A-1.041

PURPOSE AND EFFECT: The purpose of the rule is to promulgate new contract forms available to all agencies, and to clarify aspects of pre-solicitation findings required of all agencies.

SUMMARY: The rule restates agency requirements regarding solicitations found in Sections 287.057(1)-(3), F.S., and promulgates new PUR forms required in all solicitations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.032, 287.042, 287.057, 287.058 FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004
PLACE: Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.041 Solicitation Requirements.

(1) When preparing a solicitation, an agency shall consider which form of competitive solicitation will result in the best value for the State.

(a) Pursuant to Section 287.057(2)(a), F.S., if the agency determines that the Invitation to Bid method is not practicable, the agency shall document the reason for its use of the Request for Proposal.

(b) Pursuant to Section 287.057(3)(a), F.S., if the agency determines that neither the Invitation to Bid method nor the Request for Proposal are practicable, the agency shall document the reason for its use of the Invitation to Negotiate method. This written determination must be approved in writing by the agency head or his or her designee, prior to advertising the solicitation.

(2) As required by subsection 60A-1.002(7), F.A.C., all competitive solicitations shall include the standard “General Contract Conditions” Form PUR 1000 (03/02), and the standard “Instructions to Respondents” Form PUR 1001 (03/02).

(a) PUR 1001 contains instructions explaining the solicitation process and the actions necessary to respond. The agency shall attach additional materials specific to each particular solicitation, including but not limited to contact information, a solicitation timeline, a location for the public opening, evaluation criteria (including the relative weight of each criterion, if appropriate), required information regarding renewal of the contract, and any other necessary information.

(b) PUR 1000 contains standard terms and conditions that will apply to the contract which results from the solicitation event. The agency may also attach additional contract terms and conditions specific to each particular solicitation. These additional terms are commonly referred to as "Special Conditions." In the event of any conflict between the PUR 1000 form and any Special Conditions attached by the agency, the Special Conditions shall take precedence over the PUR 1000 form unless the conflicting term in the PUR form is statutorily required, in which case the term contained in the form shall take precedence.

Specific Authority 287.042(12) FS. Law Implemented 287.032, 287.042, 287.057, 287.058 FS. History—New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations
RULE CHAPTER NO.: 60A-1
RULE TITLE: Request for Information
RULE NO.: 60A-1.042

PURPOSE AND EFFECT: The rule is intended to clarify questions concerning Requests for Information.

SUMMARY: The rule details the agencies' ability to use a Request for Information as a means of information-gathering.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.012(21), 287.042(3)(g) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.042 Request for Information.

(1) An agency may request information by electronically posting a Request for Information. Agencies may use Requests for Information in circumstances including, but not limited to, determining whether or not to competitively procure a commodity or contractual service, determining what solicitation process to use for a particular need, or researching general, special, and/or technical specifications for a solicitation.

(2) A vendor's answer to a Request for Information is not an offer and the agency may not use the vendor's submission to justify a contract with that vendor without otherwise complying with Chapter 287, F.S., and Chapter 60A-1, F.A.C.

(3) Vendors submitting answers to an agency's Request for Information are not prohibited from responding to any related subsequent solicitation.

Specific Authority 287.042(12) FS. Law Implemented 287.012(21), 287.042(3)(g) FS. History—New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: General Regulations
RULE CHAPTER NO.: 60A-1
RULE TITLE: Request for Quotes
RULE NO.: 60A-1.043

PURPOSE AND EFFECT: The rule is intended to clarify questions concerning Requests for Quotes.

SUMMARY: The rule details the agencies' ability to use a Request for Quotes as a means of ordering services from state term contracts with multiple vendors, and details the findings and documentation required to be kept by the agency.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.012 (23), 287.042(3)(g) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.043 Request for Quotes.

(1) A Request for Quotes (RFQ) is an oral or written request issued by an agency, to a current term contract vendor. The Request for Quotes is not a competitive solicitation vehicle.

(2) Agencies may issue Requests for Quotes when making purchases from a term contract in order to seek additional competition or to determine whether a price, term, or condition more favorable to the agency is available. If at least two vendors are on the term contract and can provide the commodities or contractual services the agency seeks, the agency should solicit at least two (2) quotes, unless (i) the purchase is less than Category One, or (ii) the term contract specifically contains other RFQ requirements. All oral quotes should be appropriately documented, stating at a minimum the name of each responding vendor and the pricing and/or services information provided the vendor in response to the Request for Quotes. All requests for quotes received should be maintained in the purchase order file.

(3) After receiving quotes from multiple vendors, the agency shall base its contract decision on which vendor offers the best value, and shall document the purchase order file accordingly. Such documentation shall include justification for soliciting less than two quotes.

Specific Authority 287.042(12) FS. Law Implemented 287.012(23), 287.042(3)(g) FS. History—New

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

RULE TITLE: Renewal and Extension RULE NO.: 60A-1.048

PURPOSE AND EFFECT: The purpose of the rule is to clarify issues stemming from the statutory requirements related to contract renewals and extensions.

SUMMARY: The rule clarifies the difference between extensions and renewals, and provides details regarding when each of these actions is permitted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.057(13),(14) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.048 Renewal and Extension.

(1) Renewal.

(a) Term. Pursuant to Section 287.057(14), F.S., agencies may renew contracts for commodities or contractual services for the original term of the contract or for a period that may not exceed 3 years, whichever period is longer. The renewal may

be divided into increments (e.g., three one-year renewals), may be for a complete term (e.g., one renewal for three years or the original term of the contract), or a combination thereof (e.g., one two-year renewal followed by a one one-year renewal).

(b) Documentation. The agency must provide documentation justifying that the renewal is in the best interest of the State and keep such justification in the contract file. Renewals are contingent upon satisfactory performance evaluations by the agency, and must be authorized by mutual agreement in writing.

(c) Cost. Vendors shall include the cost of any contemplated renewals in their responses, and the renewal, if any, is subject to the same terms and conditions set forth in the initial contract.

(2) Extension. Pursuant to Section 287.057(13), F.S., agencies may extend contracts for services for a period not to exceed 6 months. The extension is subject to the same terms and conditions set forth in the initial contract. An agency may only extend a services contract once, unless events beyond the control of the contractor cause the contractor's failure to meet the criteria for contract completion.

Specific Authority 287.042(12) FS. Law Implemented 287.057(13),(14) FS. History–New_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: RULE CHAPTER NO.:
General Regulations 60A-1
RULE TITLE: RULE NO.:
Use of the Term “No Substitute” 60A-1.062

PURPOSE AND EFFECT: The purpose of this rule is to reorganize material previously found elsewhere in Chapter 60A-1, F.A.C., and to identify when the phrase “no substitute” may be used in a solicitation.

SUMMARY: The rule recognizes that the term “no substitute” limits competition and is only permitted in extreme circumstances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.042(3)(f) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.062 Use of the Term “No Substitute”.

Use of the term “no substitute” in competitive solicitations shall be used only when absolutely required. The term “or equivalent” shall be used wherever an identifiable brand name or process is included in the specification.

Specific Authority 287.042(12) FS. Law Implemented 287.042(3)(f) FS. History–New_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: RULE CHAPTER NO.:
General Regulations 60A-1
RULE TITLE: RULE NO.:
Present Value Methodology 60A-1.063

PURPOSE AND EFFECT: The purpose of the rule is to reorganize materials previously found elsewhere in Chapter 60A-1, F.A.C., and to modernize outdated references.

SUMMARY: The rule identifies a specific report issued by the United States Treasury as the appropriate location of data required when a solicitation requires the inclusion of present-value methodology.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.0572(2) FS.

LAW IMPLEMENTED: 287.0572(1) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.063 Present Value Methodology.

All competitive solicitations for contracts which require payment for more than one (1) year and include unequal payment streams or unequal time payment periods shall include a condition stating that the evaluation will use present value methodology. The solicitation shall state the present value discount rate which will be used in the computations and evaluation.

To determine that appropriate discount rate, agencies shall use the rates identified in Release H.15, Select Interest Rates (Weekly), available online at <http://www.federalreserve.gov/releases/h15/>. Agencies should use the most recent release and the appropriate U.S. Treasury rate for the last published month at the time of issuance of the competitive solicitation.

Specific Authority 287.0572(2) FS. Law Implemented 287.0572(1) FS. History—New

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

RULE TITLE: Public Records and Openings; Temporary Exemptions; Trade Secrets
 RULE NO.: 60A-1.072

PURPOSE AND EFFECT: The purpose of the rule is to reorganize material previously found elsewhere in Chapter 60A-1, F.A.C.

SUMMARY: The rule restates statutory information regarding public meetings, bid openings, and a specific exemption for pollution response action contracts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 119.07(3)(m), 287.042, 287.0595 FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.072 Public Records and Openings; Temporary Exemptions; Trade Secrets.

(1) Solicitation responses are not public records subject to the provisions of Section 119.07(1), F.S., until such time as the agency provides notice of a decision or intended decision pursuant to Section 120.57(3)(a), F.S., or within 10 days after the date of the public opening of the solicitation, whichever is earlier. The 10-day period does not include the date of the notice or opening. When the solicitation requires the response to be placed in two separately sealed envelopes to be submitted simultaneously and not opened on the same date, the 10-day period begins the day after the opening of the second envelope.

(2) Solicitation openings shall be open to the public, and noticed within the solicitation, which will identify the time and place of the meeting. Openings and negotiations shall be conducted in a manner to comply with confidentiality and

exemption requirements of Section 815.045, F.S., or other applicable statutes. The opening shall be conducted by an employee of the agency and witnessed by at least one other employee of the agency.

(3) Pollution response action contracts as provided in Section 287.0595, F.S., are confidential and exempt from the provisions of Section 119.07(1), F.S., until selection is made and a contract signed, or until responses are no longer under active consideration.

Specific Authority 287.042(12) FS. Law Implemented 119.07(3)(m), 287.042, 287.0595 FS. History--New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: RULE CHAPTER NO.:
General Regulations 60A-1
RULE TITLE: RULE NO.:
Alteration of Responses Not Permitted 60A-1.073
PURPOSE AND EFFECT: The purpose of the rule is to reorganize material previously found elsewhere in Chapter 60A-1, F.A.C.

SUMMARY: The rule states that a vendor may not alter its response to a solicitation, after the response has been submitted to the agency.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.042(3)(c) FS.

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

TIME AND DATE: 1:30 – 4:00 p.m., April 23, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.073 Alteration of Responses Not Permitted.

A vendor may not modify its solicitation response after the solicitation opening. The agency may correct arithmetical mistakes in price extension.

Specific Authority 287.042(12) FS. Law Implemented 287.042(3)(c) FS. History--New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE CHAPTER TITLE: RULE CHAPTER NO.:
General Regulations 60A-1
RULE TITLE: RULE NO.:
Request to Withdraw Solicitation 60A-1.074
PURPOSE AND EFFECT: The purpose of the rule is to reorganize material previously found elsewhere in Chapter 60A-1, F.A.C.

SUMMARY: The rule offers a vendor three business days (after the solicitation opening date) to retract its response to an agency solicitation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.042(3)(c) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004
PLACE: Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.074 Request to Withdraw Solicitation.

Requests for withdrawal by a vendor of its bid, proposal, or reply may be considered if received by the agency, in writing, within 3 days (excluding Saturdays, Sundays, and State holidays) after the solicitation opening time and date. Requests received in accordance with this provision may be granted by the agency upon proof of the impossibility to perform based upon an obvious error on the part of the vendor.

Specific Authority 287.042(12) FS. Law Implemented 287.042(3)(c) FS. History--New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

RULE TITLE: Installment Sale and Refinancing
RULE NO.: 60A-1.081

PURPOSE AND EFFECT: The purpose of the rule is to reorganize material previously found elsewhere in Chapter 60A-1, F.A.C.

SUMMARY: The rule outlines requirements related to agency leasing, installment sale, and/or refinancing contracts, and reiterates the statutory requirement that the Chief Financial Officer approve such contracts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.063 FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004
PLACE: Room 101, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.081 Installment Sale and Refinancing.

Installment sale and purchase contracts require a pre-audit review and prior approval of the Chief Financial Officer and shall contain the statement, "The State of Florida's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature". Refinancing an installment sale and purchase contract is permitted only to take advantage of a lower interest rate than that of the initial transaction or other instances of lower overall cost to the State. Refinancing for a longer period than the term of the original financing is prohibited. Payment schedules shall provide for either quarterly or semi-annual payment in advance to minimize amount of interest paid. Initial payment may be made on a pro rata basis to accommodate fiscal year funding. Any exception to the provisions of this section requires justification to and prior approval of the Department.

Specific Authority 287.042(12) FS. Law Implemented 287.063 FS. History--New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

RULE TITLE: Lease Cancellation Clause
RULE NO.: 60A-1.082

PURPOSE AND EFFECT: The purpose of the rule is to reorganize material previously found elsewhere in Chapter 60A-1, F.A.C.

SUMMARY: The rule requires that lease contracts contain a cancellation clause of 30, 60, or 90 days, as appropriate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.042(3) FS.

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

TIME AND DATE: 1:30 p.m. – 4:00 p.m., April 23, 2004

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.082 Lease Cancellation Clause.

Any fixed-period lease contract of commodities must include a cancellation clause of 30, 60, or 90 days, whichever is determined by the agency to be the period of time necessary to procure a substitute contract.

Specific Authority 287.042(12) FS. Law Implemented 287.042(3) FS. History–New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 5, 2003

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Continuing Education Program Approval Fee **RULE NO.:** 64B1-2.008

PURPOSE AND EFFECT: The Board proposes to repeal this section because it is not authorized by statute.

SUMMARY: The rule repeals the program approval 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: 457.104, 457.107(3) FS.

LAW IMPLEMENTED: 457.107(3) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-2.008 Continuing Education Program Approval Fee.

Specific Authority 457.104, 457.107(3) FS. Law Implemented 457.107(3) FS. History–New 5-12-87, Amended 9-15-92, Formerly 21AA-2.008, 61F1-2.008, 59M-2.008, Amended 10-15-97, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Acupuncture Examination **RULE NO.:** 64B1-3.004

PURPOSE AND EFFECT: The Board proposes to update the National Examination requirement to reflect changes in the national exam administered by the National Certification Commission for Acupuncture and Oriental Medicine.

SUMMARY: The proposed rule modifies the national examination requirement to reflect changes in the exam made by the national testing organization.

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

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

SPECIFIC AUTHORITY: 456.033, 457.102, 457.104 457.105 FS.

LAW IMPLEMENTED: 456.033, 457.102, 457.105 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-3.004 Acupuncture Examination.

The Board currently approves as the Florida examination for licensure the NCCAOM examination, consisting of the Foundations of Oriental Medicine Module, the Acupuncture Module and the Point Location Module.

Specific Authority 456.017, 457.104 FS. Law Implemented 456.017, 457.104 FS. History--New 8-13-84, Amended 10-2-84, Formerly 21AA-3.04, Amended 1-25-88, 9-3-89, 2-27-92, 5-6-92, Formerly 21AA-3.004, Amended 1-27-94, Formerly 61F1-3.004, Amended 11-21-95, Formerly 59M-3.004, Amended 10-15-97, 5-11-98, 4-20-99, 1-1-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

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

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: RULE NO.:

Acupuncture Program Requirements 64B1-4.001

PURPOSE AND EFFECT: The Board proposes to define the term "supervised instruction" for Florida Laws and Rules education requirements and HIV/Aids education requirements for initial licensure as an Acupuncturist in Florida. For these requirements supervised instruction means instruction in the subject matter obtained in a Board approved continuing education program or through instruction in the subject matter obtained at an ACAOM accredited institution.

SUMMARY: The proposed rule clarifies the meaning of supervised instruction for the initial licensure requirements for education in Florida Laws and Rules and in HIV/Aids education.

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

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

SPECIFIC AUTHORITY: 456.033, 457.102, 457.104, 457.105 FS.

LAW IMPLEMENTED: 456.033, 457.102, 457.105 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.001 Acupuncture Program Requirements.

In order to be certified to take the licensure examination, the applicant must establish that he/she has met the following minimal requirements. For persons who enrolled on or after July 1, 1997, the applicant must complete the program in which they have enrolled.

(1) through (3) No change.

(4) Applicants who apply for licensure on or after October 1, 2003 must have graduated from an ACAOM candidate or accredited 4-year master's level program or foreign equivalent in oriental medicine with a minimum of 2700 hours of supervised instruction:

(a) No change.

(b) 20 hours of supervised instruction in Florida Statutes and Rules, including Chapters 456 and 457, F.S., and this rule chapter. For purposes of the Florida Statutes and Rules and HIV/Aids requirements imposed by this chapter for initial licensure, the term "supervised instruction" shall mean instruction in a Board approved continuing education program or in a program offered at an ACAOM accredited oriental medicine school.

(5) No change.

Specific Authority 456.033, 457.102, 457.104 457.105 FS. Law Implemented 456.033, 457.102, 457.105 FS. History--New 8-30-84, Formerly 21AA-4.01, Amended 7-20-88, 4-30-89, 9-19-89, 3-18-92, Formerly 21AA-4.001, 61F1-4.001, Amended 3-24-96, Formerly 59M-4.001, Amended 12-31-97, 11-1-99, 6-21-00, 4-3-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2004
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2004

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLES: RULE NOS.:
 Disciplinary Guidelines 64B1-9.001
 Citations 64B1-9.002
 Notice of Noncompliance 64B1-9.003

PURPOSE AND EFFECT: The Board proposes to update the disciplinary guidelines to address concerns raised by the Joint Administrative Procedures Committee regarding aggravating and mitigating circumstances. The proposed change limits, in some cases, the application of aggravating and mitigating circumstances. The Board proposes to amend the citation rules to clarify the violations to be alleged in a citation concerning advertising infractions. The Board proposes to amend the notice of non-compliance rules to delete the offense of failing to renew a license.

SUMMARY: The proposed changes limit the application of aggravating and mitigating circumstances. They clarify the provisions to be charged in a citation for advertising infractions. They delete the offense of failing to renew a license as an offense for which a notice of non-compliance may be issued.

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: 120.695, 456.072, 456.073(3), 456.077, 456.079(1), 457.104 FS.

LAW IMPLEMENTED: 456.072, 456.073(3), 456.077, 456.079, 457.109 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B1-9.001 Disciplinary Guidelines.

(1) No change.

(2) Based upon consideration of the following factors, the Board may impose disciplinary action other than those penalties recommended above:

~~(a) The severity of the offense;~~

~~(a)(b)~~ No change.

~~(b)(e) The number of repetitions of offenses, other than an adjudicated offense for which the licensee is presently being penalized;~~

~~(c)(d)~~ No change.

~~(d)(e) The number of complaints filed against the licensee certificateholder;~~

~~(e)(f) The length of time the licensee has practiced acupuncture;~~

(g) through (k) renumbered (f) through (j) No change.

~~(k)(4) Attempts by the licensee certificateholder to correct or stop a violation or refusal of a licensee to correct or stop a violation;~~

~~(l)(m)~~ No change.

~~(m)(n) Any other mitigating or aggravating circumstances.~~

(3) No change.

(4) The provisions of subsections (1) through (3) above shall not be construed as to prohibit civil action or criminal prosecution as provided in Section 457.116 or 456.072, F.S., and the provision of subsections (1) through (3) above shall not be construed so as to limit the ability of the Board to enter into binding stipulations with accused parties as per Section 120.57(4)(3), F.S.

Specific Authority 456.079(1), 457.104 FS. Law Implemented 456.072, 456.079, 457.109 FS. History--New 12-8-86, Amended 8-6-89, Formerly 21AA-9.001, 61F1-9.001, Amended 11-21-95, Formerly 59M-9.001, Amended 8-3-00, 5-20-02, _____.

64B1-9.002 Citations.

(1) through (2) No change.

(3) The Board hereby designates the following violations as citation violations which shall result in a penalty of \$500.00:

~~(a) Violation of Section 457.109 (1) (d) or (e), F.S. paragraph 64B1-9.001(1)(d) or (e), F.A.C.;~~

(b) through (c) No change.

(4) No change.

Specific Authority 456.072, 456.077 FS. Law Implemented 456.072 456.077 FS. History--New 1-26-92, Formerly 21AA-9.002, 61F1-9.002, 59M-9.002, Amended _____.

64B1-9.003 Notice of Noncompliance.

(1) No change.

(2) The Board designates the following as minor violations for which a notice of noncompliance may be issued for the first violation thereof:

(a) through (c) No change.

~~(d) Failure to renew a license or elect inactive status as required by Rules 64B1-6.004 and 64B1-7.001, F.A.C., provided that the delinquency of the license has been cured within 30 days of the deadline for license renewal.~~

Specific Authority 120.695, 456.073(3) FS. Law Implemented 120.695, 456.073(3) FS. History--New 5-19-96, Formerly 59M-9.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture

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

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

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

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE TITLE: RULE NO.:

Guidelines for the Disposition of Disciplinary Cases 64B2-16.003

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

SUMMARY: The Board is making changes to its list of mitigating and aggravating circumstances, including a change in (c) from the number of specific offenses to "unrelated and distinct" offenses. An addition is also being made to the rehabilitation efforts of the licensee to include signs of remorse, restitution and corrective action.

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

SPECIFIC AUTHORITY: 456.072, 456.079, 460.405, 460.413 FS.

LAW IMPLEMENTED: 456.072, 456.079, 460.413(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-16.003 Guidelines for the Disposition of Disciplinary Cases.

(1) No change.

(2) The Board may take into consideration the following factors in determining the appropriate disciplinary action to be imposed and in going outside of the disciplinary guidelines:

~~(a) The severity of the offense;~~

~~(a)(b) The danger to the public;~~

~~(b)(c) The number of unrelated and distinct specific offenses;~~

~~(d) through (i) renumbered (c) through (h) No change.~~

~~(i)(j) Rehabilitation efforts of the licensee including remorse, restitution, and corrective actions;~~

~~(k) through (n) renumbered (j) through (m) No change.~~

(3) No change.

Specific Authority 456.072, 456.079, 460.405, 460.413 FS. Law Implemented 456.072, 456.079, 460.413(4) FS. History--New 1-10-80, Formerly 21D-16.03, Amended 1-28-87, 1-28-90, 6-24-93, Formerly 21D-16.003, Amended 10-26-93, Formerly 61F2-16.003, Amended 7-18-95, Formerly 59N-16.003, Amended 11-4-98, 6-6-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 2004

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLES: RULE NOS.:

Continuing Education Requirements 64B5-12.013

Subject Area Requirements 64B5-12.016

PURPOSE AND EFFECT: The Board proposes the rule amendments to update continuing education requirements.

SUMMARY: The proposed rule amendments allow continuing education credit for participation as an expert witness in disciplinary cases and for course work in Health Insurance Portability and Accountability Act (HIPAA).

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(8), 456.031, 466.004(4), 466.0135, 466.014, 466.017(3),(4) FS.

LAW IMPLEMENTED: 456.013(8), 456.031, 466.0135, 466.014, 466.017(3),(5), 466.028(1)(i),(bb) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B5-12.013 Continuing Education Requirements.

(1) through (2) No change.

(3) Continuing education credit shall be awarded only for educational experiences that are specifically appropriate for, and contain useful information directly pertinent to, dentistry and only if received through the following methods:

(a) through (e) No change.

(f) By participating as an expert witness in the review of disciplinary cases, a licensee may receive a maximum of 11 hours of continuing education credit for completing five disciplinary cases in each biennium. By participating as an expert witness in the review of disciplinary cases, a licensee may receive a maximum of 4 hours of continuing education credit for completing two disciplinary cases in each biennium. A maximum of 11 hours in any one biennium may be earned toward license renewal.

(4) through (6) No change.

Specific Authority 456.013(8), 456.031, 466.004(4), 466.0135, 466.014, 466.017(3),(4) FS. Law Implemented 456.013(8), 456.031, 466.0135, 466.014, 466.017(3),(5), 466.028(1)(i),(bb) FS. History—New 4-2-86, Amended 12-31-86, 4-26-87, 7-20-87, 9-16-87, 11-18-89, 7-9-90, Formerly 21G-12.013, Amended 5-19-94, 7-18-94, Formerly 61F5-12.013, Amended 11-15-95, 4-8-96, Formerly 59Q-12.013, Amended 2-17-98, 2-15-99, 3-11-99, 11-9-00, 5-20-01,_____.

64B5-12.016 Subject Area Requirements.

(1) Regardless of the manner by which a licensee obtains continuing education, no credit will be awarded unless the subject matter falls within the following subject matter categories:

(a) through (b) No change.

(c) Patient health and safety subjects including but not limited to – public health problems, communicable diseases, emergency care, cardiopulmonary resuscitation, advanced life support, anesthesia, patient stress management and risk management.

(d) through (f) No change.

(2) through (3) No change.

(4) For the biennium ending February 28, 2004, a licensee may receive a maximum of two hours of continuing education credit for completing Health Insurance Portability and Accountability Act (HIPAA) related courses.

Specific Authority 466.004(4), 466.0135, 466.014 FS. Law Implemented 456.031, 466.0135, 466.014 FS. History—New 4-2-86, Amended 1-18-89, 7-9-90, 2-1-93, Formerly 21G-12.016, 61F5-12.016, Amended 9-27-95, Formerly 59Q-12.016, Amended 10-29-00, 5-20-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 26, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2003

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Office Safety Equipment

RULE NO.: 64B5-17.015

PURPOSE AND EFFECT: The Board proposes the new rule to update the minimum standard of dental practice to include recent advances in life-saving technology.

SUMMARY: The proposed new rule requires every dental office location to have an automatic external defibrillator by February, 2006.

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: 466.004(4), 466.017(3)(c) FS.

LAW IMPLEMENTED: 466.017(4), 466.028(1)(x) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-17.015 Office Safety Requirement.

As part of the minimum standard of care, every dental office location shall be required to have an automatic external defibrillator by February 28, 2006. Any dentist practicing after February 28, 2006 without an automatic external defibrillator on site shall be considered to be practicing below the minimum standard of care.

Specific Authority 466.004(4), 466.017(3)(c) FS. Law Implemented 466.017(4), 466.028(1)(x) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 26, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2003

Specific Authority 456.024(2) FS. Law implemented 456.024(2) FS. History--New 1-6-02, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 5, 2004

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE TITLE: Spouses of Members of Armed Forces Exemption
RULE NO.: 64B32-1.010
PURPOSE AND EFFECT: The Board proposes to update the existing rule text.
SUMMARY: The board is adding a 6-month change of status notification requirement and an exemption provision to the rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.024(2) FS.
LAW IMPLEMENTED: 456.024(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: Kaye Howerton, Board Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-1.010 Spouses of Members of Armed Forces Exemption.
A licensee who is the spouse of a member of the Armed Forces of the United States shall be exempt from all licensure renewal provisions for any period of time when the licensee is absent from the State of Florida due to the spouse's duties with the Armed Forces. The licensee must document the absence and the spouse's military status to the Board. The licensee is required to notify the Board of a change in status within six months of the licensee's return to the State of Florida or the spouse's discharge from active duty. If the change of status occurs within the second half of the biennium, the licensee is exempt from the continuing education requirement for that biennium.

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLE: Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and Forms
RULE NO.: 690-170.013
PURPOSE, EFFECT AND SUMMARY: The proposed amendments adopt procedures and standards for the review and approval of rates for terrorism insurance coverage in accordance with the Terrorism Risk Insurance Act of 2002.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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

SPECIFIC AUTHORITY: 624.308 FS.
LAW IMPLEMENTED: 624.307(1), 624.604, 624.605, 627.062, 627.0645, 627.0651 FS.

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

TIME AND DATE: 11:00 a.m., April 27, 2004
PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Milnes, Bureau of Property and Casualty Insurance Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, e-mail: milnesm@dfs.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.013 Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and Forms.

(1) through (6) No change.

(7) This rule applies to that portion of a rate filing relating to terrorism coverage required under the Terrorism Risk Insurance Act of 2002. The Office recognizes the difficulty facing an individual insurer in demonstrating that its rates related to terrorism are not excessive, inadequate, or unfairly discriminatory. An insurer is free to use any generally accepted and reasonable actuarial technique in its filing which it believes demonstrates that the rates requested or implemented are in compliance with Section 627.062, Florida Statutes. If an insurer is unable to demonstrate through its own methodology that the rate requested or implemented complies with Section 627.062, Florida Statutes, then the insurer may, at its option, adopt the methodology, data, and rates of another insurer or rating or advisory organization, as appropriate, that have been previously approved by the Office.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.604, 624.605, 627.062, 627.0645, 627.0651 FS. History--New 3-30-92, Amended 3-9-93, 8-23-93, 10-3-94, 8-3-95, 10-2-96, 6-19-03, Formerly 4-170.013, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael Milnes, Bureau of Property and Casualty Insurance Forms and Rates, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eric Lingswiler, Chief, Bureau of Property and Casualty Insurance Forms and Rates, Office of Insurance Regulation

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

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

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-602.201	Inmate Property

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. 9, (February 27, 2004), issue of the Florida Administrative Weekly:

33-602.201 Inmate Property.

(1) through (17) No change.

APPENDIX ONE
PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all Department institutions and facilities except community correctional centers. Except for items specified below as "exemptions", property received must be in compliance with this list. Inmates in possession of previously approved property which meets the description of property on the list shall be allowed to retain the property.

Definitions.

The "quantity" establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. Items found in the possession of an inmate that are in excess of the established "quantity" shall be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a "value" indicated, the authorized item shall not exceed that value. The terms "canteen" and "state issue" refer to the sources from which property can be obtained after January 1, 1996. All items with the "canteen" designation shall be available in all institutional canteens or through canteen order. All canteen items are transferable between institutions. "State issue" means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"

AUTHORIZED PROPERTY LIST						
Quantity	Unit	Value	Articles			
				*		Canteen purchases –* limited by approved storage space;
CLOTHING						
1	each		Athletic Bra(canteen – female only)	1	Set	Checkers (light wood or plastic, standard checkers only (canteen order)
1	each		Belt (state issue)	1	set	Chess (light wood or plastic, 2 inches max. height) (canteen order)
4	each		Bras (state issue or canteen – female only)	1	each	Coffee mug – plastic (canteen)
1	each		Coat (state issue)	1	each	Comb-pocket type, no handles (non-metal) (state issue or canteen)
3	each		Dresses (state issue – female only)	*		Correspondence –* limited by storage space limitations.
1	pair		Gloves, work (state issue)			Cotton swabs (plastic or paper stems only) (canteen)
4	each		Handkerchief, cotton, white only (canteen)	1	pack	Crème rinse and conditioner (canteen)
1	each		Hats (state issue)	2	each	Cup, drinking – plastic (canteen)
2	pair		Pajamas-long (state issue or canteen) Light blue or white – female only	2	each	Cuticle remover (non-alcohol base) (canteen)
7	each		Panties (state issue or canteen – female only)	1	each	Dental floss, (floss loops only), unwaxed (canteen)
3	each		Pants (state issue)	1	package	Denture adhesive (state issue or canteen)
1	each		Raincoat <u>or Poncho</u> – clear (state issue or canteen)	1	each	Denture cup (canteen order)
1	each		Robe (state issue – female only)	2	each	Deodorant <u>and antiperspirant</u> (no aerosols) (canteen)
3	each		Shirt, outer (state issue)	1	set	Domino (light wood or plastic, standard size) (canteen order)
4	each		Shirt, T-Shirt (state issue or canteen order – gray <u>for female, white for male</u>)*inmates may possess both state-issue and canteen-purchased shirts, but the total combined number cannot exceed 4.	1	pair	Earphone pads (replacement) (canteen order)
1	pair		Shoes, Athletic (canteen)	1	pair	Ear rings, post type (female only) (canteen order)
1	pair		Shoes, Work (state issue)	*		Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course.)
2	each		Shorts, athletic (navy blue) (canteen)			Emery board – cardboard (canteen)
1	each		Shower cap, clear only (<u>female only</u>) (canteen)	1	pack	Envelopes – legal and oversized (canteen)
1	pair		Shower slides (canteen)	1	pack	Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack.
3	each		Slips (state issue – female only)	1	pack	Erasers (canteen)
6	pair		Socks (state issue or canteen)	1	pack	Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) Contact lenses will only be provided if medically indicated.
1	each		Supporter, athletic (<u>male only</u>)(canteen)	1	each	Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot cover-up, lip coloring (female only) (canteen)
2	each		Sweatshirts (gray only) (canteen order)	*		
4	each		Undershorts (male only) (state issue or canteen)	1	each	
2	each		Underwear, thermal (state issue or canteen)	2	each	
PERSONAL ARTICLES						
Quantity	Unit	Value	Articles			
Number			Batteries (canteen)			
in use						
25	each		Bobby pins , <u>Roller clips</u> – plastic only (females only), (canteen)			
*			Books (legal, educational, religious, fiction) – * Quantity as specified by Rule 33-501.401, F.A.C.	1	each	
1	package		Breath tablets (canteen)			
1	each		Calendar, as specified by Rule 33-501.401, F.A.C.			

1	box	Facial tissue (canteen) Feminine hygiene products (internal and external) (female only) (state issue or canteen)	*				Prosthesis – * as approved by health services
*		File Folders (*limited by storage space)	1	each	50.00		Radio, DC/AM/FM only, “Walkman” type, maximum 4 x 5" (canteen)
1	each	Hairbrush – nonmetal, handles for females only (canteen)	1	each	50.00		Razor, disposable (state issue)
2	each	Hairdressing (<u>styling gel, pink oil, cholesterol, perm kit, bleaching cream – female only</u>) (no aerosols) (canteen)	*				Razor, battery operated, non-rechargeable (canteen order)
1	each	Hair net (female only) (canteen)	1	Each	50.00		Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)
25	each	Hair rollers (female only) (canteen)	1				Religious medallion with chain (personal or <u>provided by Chaplain canteen order</u>)
2	each	Handballs <u>or racketballs</u> (canteen)	1	Each	100.00		Ring, engagement (personal, female only)
1	each	Headphones for use with radio (canteen)	1	Each	100.00		Ring, wedding (personal)
1	each	Health aids – headache and cold remedies, antacids, laxatives, eye wash , antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochlorida compounds (canteen – as approved by health services)	1	Each	100.00		Roller cap, clear only (female only) (canteen)
2	each	Hearing aid (state issue or personal)	1	set			Scrabble (canteen order)
*		Hobby craft – at locations where program exists and subject to storage space limitations	2	each			Shampoo (canteen)
1	each	Insect repellent (canteen)	1	each			Shaving cream (canteen)
1	each	Jigsaw puzzle (canteen order)	1	each			Shaving powder (canteen)
1	each	Laundry bag (state issue)	1	each			Shoe laces (canteen)
1	each	Lighter, disposable (approved type) (canteen)	*				Shoe wax (Liquid only, non flammable, no nitrobenzene; canteen)
1	each	Lip balm (canteen)	1	each			Soap, bath (state issue or canteen)
1	each	Locks, combination (V68 series) (canteen)	40	each			Soap dish (canteen)
1	each	Make-up bag, clear only (female only) (canteen)	1	each			Soap, laundry (<u>female only</u>) (canteen)
1	each	Mirror – plastic, non-breakable, 5 x 7" max. (canteen)	1	each			Special needs – * special devices as approved for compliance with medical needs
1	each	Moisturizer – no mineral oils, <u>no Vaseline</u> (canteen)	1	each			Spoon, plastic (<u>canteen</u>)
1	each	Mouthwash (canteen)	1	each			Stamps (<u>the equivalent of 40</u> 1-ounce 1st class) (canteen)
1	each	Nail clippers, not to exceed 2 1/2" (canteen)	2	each			Sunglasses, no mirror type (canteen)
2	pack	Notebook paper (canteen)	1	each			Sunscreen lotion (canteen)
4	each	Pens, ballpoint, flair-type, pencils <u>with erasers</u> , or security pens, no markers (canteen)	1	each	50.00		Talcum powder (canteen)
*		Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations	1	each			Toothbrush (state issue or canteen)
1	each	Photo album, non-metal (canteen)	1	each			Toothbrush holder (canteen)
50	each	Photographs (personal)	1	each			Toothpaste <u>and Toothpaste with mouthwash</u> (state issue or canteen)
2	decks	Playing cards (standard) (canteen)	2	each			Towels (state issue)
<u>5</u>	<u>Each</u>	<u>Pony tail holder (fabric) or hair claws (plastic) (female only)</u>	1	each			Wallet (canteen)
1	each	P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)	1	each			Watch (personal or canteen)
			1	each			Watch band (<u>nylon and Velcro only</u>) (canteen)
			1	each			Watch batteries, replacement (<u>canteen order</u>)
			2	each			Washcloths (state issue or canteen)

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 Podiatric Medicine

RULE NO.: 64B18-14.010
 RULE TITLE: Citations

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 9, February 27, 2004, issue of the Florida Administrative Weekly. The change is being made to correct a typographical error.

Subsection (3)(i) is changed and shall read as follows:

- (i) Failure to comply with Sections 381.026 and compliance 381.0261, F.S., referencing patients bill of rights. (Section 456.077(2), F.S.) \$250 fine and within ten days

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-9.006
 RULE TITLE: Construction Standards

NOTICE OF CORRECTION

Notice is hereby given that the following correction and clarification has been made in the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., which was published in the Florida Administrative Weekly, Vol. 29, No. 52, December 26, 2003, page 5099. This is to clarify and correct the strikethrough and underlined text in subparagraph 64E-9.006(1)(d)3., F.A.C., in the second paragraph, and second sentence; it should have read as follows:

Tile shall be slip resistant, ~~except when three-fourths Bullnose tile may be used when the 3/4ths inch by 2 inch bullnose tile is used and the three-fourths inch segment is placed on the tread or horizontal surface and the 2 two inch segment is placed on the riser or vertical surface.~~

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER NO.: 64E-9
 RULE CHAPTER TITLE: Public Swimming Pools and Bathing Places

RULE NOS.:

- 64E-9.002
- 64E-9.004
- 64E-9.005
- 64E-9.006
- 64E-9.007
- 64E-9.008
- 64E-9.009
- 64E-9.018

RULE TITLES:

- Definitions
- Operational Requirements
- Construction or Modification Approval
- Construction Standards
- Recirculation and Treatment System Requirements
- Supervision and Safety
- Wading Pools
- Public Pool Service Technician Certification

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Florida Administrative Weekly, Vol. 29, No. 52, December 26, 2003, pages 5094-5108.

The changes were made in response to the comments received during the public hearing, the following open comment period and comments from the Joint Administrative Procedures Committee.

In subsection 64E-9.002(4), F.A.C., the definition of collector tank is changed to read: A reservoir, with a minimum of 2.25 square feet water surface area open to the atmosphere, from which the recirculation or feature pump takes suction, which receives the gravity flow from the main drain line surface overflow system or feature water source line.

In subsection 64E-9.002(6), F.A.C., the word "chainlink" is deleted.

In subsection 64E-9.002(36), F.A.C., the words "or other approved obstacles" are deleted and replaced with waterfalls, water features, starting blocks, planters, or lifeguard chairs.

In subsection 64E-9.004(14), F.A.C., the words "guidelines for fecal accidents in swimming pools" are deleted and replaced with "fecal accident response recommendations for pool staff".

In subsection 64E-9.005, F.A.C., the title is changed to read "Construction Plan or Modification Plan Approval", by adding the word plan twice.

In subsection 64E-9.005(1), F.A.C., the word "Plan Approval" is added after the word Construction.

In sub-subsection 64E-9.005(1)(i)1., F.A.C., after the words "Form DH916", the following underlined phrase, incorporated by reference at paragraph 64E-9.003(2)(d), F.A.C., is added.

In Rule 64E-9.006, F.A.C., the title is changed to read "Construction Plan Approval Standards" by adding the words "Plan Approval".

In sub-subparagraph 64E-9.006(1)(c)3.e., F.A.C., the following underlined phrase is changed back to the original rule which says: All markings shall be tile, except that pools constructed of fiberglass, thermoplastic or stainless steel may substitute other type markings when it can be shown that said markings

are permanent and will not fade over time. This exemption does not extend to concrete pools that are coated with fiberglass.

Then the following underlined new text is added: Tile alternative examples include stone or manufactured plaques with engraved or sandblasted numbers and characters with permanent paint. Permanent appliques may be used for fiberglass, thermoplastic or stainless steel pools. All markings installed on horizontal surfaces shall have a slip resistant finish. Markings shall be flush with the surrounding area where placed and recessed if necessary to provide a smooth finish that will avoid creation of an injury hazard to bathers. Pools that are not conducive to tile can employ other equivalent markings as stated above.

In subsection 64E-9.007(12), F.A.C., the following underlined words are added, and one number changed: Cleaning system – A portable or plumbed in vacuum cleaning system shall be provided. All vacuum pumps shall be equipped with hair and lint strainers. Recirculation or separate vacuum pumps shall not be used for vacuuming purposes when in excess of 3 2 horsepower. When the system is plumbed in, the vacuum fittings shall be located to allow cleaning the pool with a 50 foot maximum length of hose.

In subsection 64E-9.007(14), F.A.C., at the end of the paragraph, the following is added: Heater replacement or addition meeting the provisions of this section does not constitute a modification.

In subsection 64E-9.008(6), F.A.C., changes include the deletion of the phrase “acceptable to the department may not need to satisfy” result in the following sentence: (6) Swimming pool slides shall be installed in accordance with manufacturer’s specifications and sound engineering practice. Pools with slides designed for use in swimming pools are not required to satisfy the requirements for those of slide plunge pools in subsection 64E-9.011(2), F.A.C., however, the need for increased filtration rate shall be taken into consideration by the design engineer in determining what constitutes sound engineering.

In subsection 64E-9.009(7), F.A.C., After the first phrase we are adding the following underlined words “Wading pool decks- when adjacent to swimming pools within 50 feet, wading pools shall be enclosed and separated from the swimming pool by a fence of ...

In Rule 64E-9.018, F.A.C., The following underlined phrases are added to the fourth sentence: To ensure that the pool technicians are knowledgeable, said technician shall attend a training course of national recognition that is approved by the department of at least 16 hours in length and shall pass a test acceptable to the department. The following is added at the end of the paragraph: A certified pool technician may not affect the structural integrity of the pool or equipment, and shall not

delegate work to others, including employees, that are not themselves certified under this section, or otherwise exempt from this provision per 514, F.S.

The following underlined passages are added to subsection 64E-9.018(2), F.A.C. Course materials must be provided that cover the required topics in detail. The course approval shall be contingent upon their meeting the items listed in subsection (1) above and the subjects listed in Section 514.075, F.S. The test approval shall be contingent upon all of the questions being related to the subject areas listed in paragraph (1) above and the subjects listed in Section 514.075, F.S., with at least 10% of the questions from the subject areas in paragraphs (1)(a) through (f) above, and the remaining 40% covering any of the seven pool subject areas listed in rule or Section 514.075, F.S. The minimum passing score for the test shall be no less than 70% correct for all questions. There shall be a minimum of 50 questions.

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 ENVIRONMENTAL PROTECTION

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

The Commission for Independent Education hereby gives notice that it has received a petition filed on February 25, 2004, on behalf of Florida Auctioneer Academy, Inc. The petition is seeking a waiver or of subsection 6E-2.004(6), Florida Administrative Code, requesting that the institution not be required a financial review as a condition of approval.

Comments on this petition should be filed with the Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301, within 14 days of publication of this notice.

For a copy of the petition, contact: Samuel L. Ferguson, Executive Director, at above address or telephone (850)245-3200.

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 March 12, 2004, South Florida Water Management District (District) received a petition for waiver from Jodie Everett, Application No. 04-0202-4 for utilization of Works or Lands of the District known as the L-47 Levee Canal, Martin County for an existing storage shed within the east right of way of L-47, located approximately 7.5 miles north/northwest of Port Mayaca/St. Lucie Canal adjacent to S.W. Selma Street, Martin County, Section 17, Township 39 South, Range 37 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent storage structures within Works or Lands of the District.

A copy of the petition may be obtained from: Kathie Ruff, (561)682-6320, e-mail: kruff@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on January 26, 2004, Bureau of Elevator Safety received two Petitions for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, from Kenin Lynes of Otis Elevator Company, requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: The Bellamy on Bayshore in Tampa (Petition VW 2004-011), and McNulty Lofts in St Petersburg (Petition VW 2004-009).

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

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

NOTICE IS HEREBY GIVEN that on January 26, 2004, Bureau of Elevator Safety received a Petition for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, from Ted Gorman of Otis Elevator Company, requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Building 689 Library West Addition in Gainesville (Petition VW 2004-008).

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

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

NOTICE IS HEREBY GIVEN that on January 26, 2004, Bureau of Elevator Safety received a Petition for Variance from Rule 805.3f A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, from Ted Gorman of Otis Elevator Company, requesting a variance to allow the installation of Otis Next Step Escalator system in the following location: Building 689 Library West Addition in Gainesville (Petition VW 2004-012).

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

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

NOTICE IS HEREBY GIVEN that on January 26, 2004, Bureau of Elevator Safety received a Petition for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, from James Childers of Otis Elevator Company, requesting a variance to allow the installation of Gen2™ elevator systems in the following location: The Grande Riviera Condominium (Petition VW 2004-010).

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

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

NOTICE IS HEREBY GIVEN that on March 2, 2004, Bureau of Elevator Safety received a Petition for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, from James Childers of Otis Elevator Company, requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Whole Food's Market Centre (Petition VW 2004-017).

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

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

NOTICE IS HEREBY GIVEN that on January 26, 2004, Bureau of Elevator Safety received a Petition for Variance from Rules 101.1a (2), 101.1a (3), 101.6, 212.1, 212.9a, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, from Kenin Lynes of Otis Elevator Company, requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Harborview Grande Condominium, Clearwater, FL (Petition VW 2004-018).

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

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

NOTICE IS HEREBY GIVEN that on March 1, 2004, Bureau of Elevator Safety received a Petition for Variance from Rules 103a, 101.6, 206.5a, 208.2a, 208.5b, and 212.1, A.S.M.E. 17.1, 1996 edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code, from Lee Rigby of Vertical Assessment Associates, requesting a variance to allow the installation of ISIS elevator systems in the following location: Tivoli Towers at Sandestin Resort (Petition VW 2004-016).

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

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

DEPARTMENT OF ENVIRONMENTAL 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 March 5, 2004, the Board of Physical Therapy Practice considered a petition for waiver from subsection 64B17-3.001(4), Florida Administrative Code, filed by Moshe Presser. Subsection 64B17-3.001(4), Florida Administrative Code, requires that an applicant for licensure as physical therapist must have attained 60 credit hours of general education. The petition was filed with the Board on January 27, 2004, and was noticed in the Vol. 30, No. 6 issue of Florida Administrative Weekly on February 6, 2004. No written comments were received.

The Order, which was filed on March 18, 2004, provides in summary that under the circumstances, the Petitioner did not establish that the underlying purposes of the statute would be achieved by allowing him to bypass the current requirements for licensure. Accordingly, the Petition for Waiver of subsection 64B17-3.001(4), Florida Administrative Code, has been DENIED.

A copy of the Order may be obtained from: Amy Carraway, Deputy Agency Clerk, Department of Health, Division of Medical Quality Assurance, Bin #C01, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3251, (850)245-4121.

NOTICE IS HEREBY GIVEN that on March 5, 2004, the Board of Physical Therapy Practice considered a petition for waiver from paragraph 64B17-3.001(5)(a), Florida Administrative Code, filed by Maria Lourdes Hermoso. Paragraph 64B17-3.001(5)(a), Florida Administrative Code, requires that an applicant for licensure as physical therapist must have attained 75 professional credit hours in physical therapy. The petition was filed with the Board on February 6, 2004, and was noticed in the Vol. 30, No. 8 issue of Florida Administrative Weekly on February 20, 2004. No written comments were received.

The Order, which was filed on March 18, 2004, provides in summary that under the circumstances, the Petitioner did not establish that the underlying purposes of the statute would be achieved or that this application of the rule violates principles

of fairness. Accordingly, the Petition for Waiver of paragraph 64B17-3.001(5)(a), Florida Administrative Code, has been DENIED.

A copy of the Order may be obtained from: Amy Carraway, Deputy Agency Clerk, Department of Health, Division of Medical Quality Assurance, Bin #C01, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3251, (850)245-4121.

The Board of Psychology hereby gives notice that it has received a petition, filed on March 22, 2004 on behalf of Cathy Guyer, Ph.D., seeking a waiver or variance of paragraph 64B19.11.001(4)(c), Florida Administrative Code, with respect to the time limit for taking the examination for licensure.

Comments on this petition should be filed with the Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Board of Psychology, at the above address or telephone, (850)245-4373, Ext. 3480.

DEPARTMENT OF FINANCIAL SERVICES

The Division of State Fire Marshal hereby gives notice that the Petition for Variance or Waiver filed by Mr. Larry Johnson on January 14, 2004, notice of which was published in the January 30, 2004, Vol. 30, No. 5, issue of the Florida Administrative Weekly has been withdrawn.

For a copy of the petition, contact: Gabriel Mazzeo, c/o the Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, State Library and Archives of Florida**, announces the Florida Library Youth Program (FLYP) 2004 Planning Committee Meeting.

DATE AND TIME: Thursday, April 15, 2004, 10:00 a.m. – 3:30 p.m.

PLACE: Florida State Records Center, 4319 Shelfer Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the future direction of the Florida Library Youth Program.

For additional information contact: Carole D. Fiore, (850)245-6629 or Suncom 205-6600.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Caribbean Fruit Fly Technical Committee** announces a meeting to which all persons are invited:

DATE AND TIME: Thursday, April 22, 2004, 10:00 a.m.

PLACE: Indian River Citrus League Office, 7925 20th Street, Vero Beach, Florida 32961-0519

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues relating to Caribbean Fruit Fly control and certification.

If you need a special accommodation in order to attend this meeting because of a disability, please let us know by April 21, 2004.

A copy of the agenda may be obtained by writing: Ms. Connie Riherd, Assistant Director, Division of Plant Industry, P. O. Box 147100, Gainesville, Florida 32614-7100, (352)372-3505.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** (DOF) and the John Bethea State Forest Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

Public Meeting – John Bethea State Forest Management Plan Advisory Group

DATE AND TIME: Tuesday, April 13, 2004, 5:00 p.m.

PLACE: Baker County Agricultural Auditorium, 1025 West Macclenny Ave., Macclenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the John Bethea State Forest Management Plan Advisory Group to prepare for a public hearing the evening of April 13, 2004 and provide recommendations to the DOF to help in preparation of a management plan for the John Bethea State Forest.

Public Hearing

DATE AND TIME: Tuesday, April 13, 2004, 6:00 p.m.

PLACE: Baker County Agricultural Auditorium, 1025 West Macclenny Avenue, Macclenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit public comments on management of the John Bethea State Forest. Comments may be presented orally or in writing at the hearing.

Written comments may also be submitted to the DOF's John Bethea State Forest, 8791 Hwy. 90, West, Glen St. Mary, FL 32040, to the attention of Lee Barnwell and should be mailed so as to arrive at the office by the date of the public hearing.

Public Meeting – John Bethea State Forest Management Plan Advisory Group

DATE AND TIME: Wednesday, April 14, 2004, 9:00 a.m.

PLACE: Baker County Agricultural Auditorium, 1025 West Macclenny Ave., Macclenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the John Bethea State Forest Management Plan Advisory Group to review comments from the public hearing of April 13, 2004 and provide recommendations to the DOF to help in preparation of a management plan for the John Bethea State Forest.

Copies of a working draft of the plan are available by contacting the John Bethea State Forest in writing at the above address or contacting: Lee Barnwell, (904)259-4688.

Special accommodations for persons with disabling condition should be requested in writing at least 48 hours in advance of these proceedings. Any request for special accommodations can be made by writing to the DOF's John Bethea State Forest Office at the above listed address. You are hereby notified in accordance with Section 286.0105, Florida Statutes, should you decide to appeal any decision made as a result of, or take exception to any findings of fact with respect to any matter considered at the hearing and meeting referred to above, you may need to ensure that a verbatim record of the proceedings is made. Such record shall include the testimony and evidence upon which the appeal is to be based.

The Florida **State Fair Authority** announces a meeting of the Board.

DATE AND TIME: Wednesday, April 21, 2004, 3:30 p.m.

PLACE: The Agricultural Law Enforcement Conference Room – Room 222, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business; 2004 Fair Recap Report; etc.

Agenda: A copy of the agenda may be obtained by contacting: Ms. Frances Ayala, Florida State Fairgrounds, P. O. Box 11766, Tampa, FL 33680.

Please note if special accommodations-due to disability-need to be arranged for attendance to this meeting, please contact Ms. Frances Ayala, (813)627-4221 as soon as possible.

DEPARTMENT OF EDUCATION

The Florida **Education Foundation** announces a public meeting to which all persons are invited:

DATE AND TIME: April 21, 2004, 12:00 Noon – 4:00 p.m.

PLACE: Airport Orlando Marriott, Belle Isle Room, 7499 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Introduction of new members; Consideration of amendments to by-laws; Announce new foundation structure; Other organization business.

For additional information, please contact: Diane McCain, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida, (850)245-0412

The **Gulf Coast Community College**, District Board of Trustees will hold its monthly meeting as follows:

DATE AND TIME: April 8, 2004, 10:00 a.m. (CST)

PLACE: Gardner Seminar Room, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting.

Contact person for the meeting is: Dr. Robert L. McSpadden, President.

The Rehabilitation Council for the Blind, and The Florida **Division of Blind Services** announces the following meeting:

DATES AND TIMES: April 23, 2004, 8:30 a.m. – 5:00 p.m.; April 24, 2004, 8:30 a.m. – 12:00 p.m.

PLACE: Hilton Orlando/Altamonte Springs, 350 South North Lake Boulevard, Altamonte Springs, FL 32701-9004

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the council.

A copy of the agenda may be obtained by contacting: Phyllis Dill, The Division of Blind Services, 7201 N. 9th Avenue, Suite A-11, Pensacola, FL 32504, (850)484-5030, 711, Florida Telephone Relay system.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces consultation meeting of the U.S. Department of Housing and Urban Development (HUD) and Florida State agencies to which all interested persons are invited.

DATE AND TIME: April 15, 2004, 1:30 p.m. – 5:00 p.m.

PLACE: Cabinet Meeting Room, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to meet with the Florida agencies with which HUD has frequent contact on housing issues, to share information about programmatic, budgetary and legislative activities at the federal level.

Any person requiring special accommodations due to disability or physical impairment should contact Sean Lewis, (850)922-1450, at least five calendar days prior to the meeting. If you are hearing of speech impaired, please contact the Department of Community Affairs using the Florida Dual party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained from: Sean Lewis, DCA Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1450.

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested persons are invited.

DATES AND TIMES: April 21, 2004, 1:00 p.m. – 5:00 p.m.; April 22, 2004, 8:00 a.m. – 1:00 p.m. (Public Comment period – Thursday, April 22, 2004, 8:00 a.m. – 8:30 a.m.)

PLACE: The Courtyard by Marriott, 1018 Apalachee Parkway, Tallahassee, Florida, (850)222-8822

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting will be for the Commission to continue discussions on its 2003-2004 study topic: Housing the extremely low-income (>30% AMI) with a special emphasis on farmworker housing and housing in the urban core.

Please contact Brenda Smith if you would like to make a presentation to the Commission. Due to time constraints, presentations before the Commission should be limited to no more than six minutes; however, printed support materials are welcome and can be distributed at the meeting.

Any person requiring special accommodations due to disability or physical impairment should contact Brenda Smith, (850)922-1832, at least five calendar days prior to the meeting. A copy of the agenda may be obtained from: Brenda Smith, Affordable Housing Study Commission, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1832.

The **Florida Building Commission** announces the following meetings to which all persons are invited. The meetings will be held at:

PLACE: The Rosen Centre Hotel, 9840 International Drive, Orlando, Florida 32819, 1(800)800-9840

DATE AND TIMES: April 18, 2004

1:00 p.m. Joint Meeting of the Energy and Structural Technical Advisory Committees.

2:00 p.m. Meeting of the Structural Technical Advisory Committee.

DATE AND TIME : April 19, 2004, 9:00 a.m.

Meeting of the Accessibility Advisory Council to consider the following applications for waiver from the accessibility code requirements: Tampa Bay Amphitheatre at the Florida State Fairgrounds, 4802 US Highway 301, North, Tampa; Tampa Museum of Art, 600 North Ashley Drive, Tampa; Quantic Engineering and Logistics Corporation, 8317 Front Beach Road, Panama City Beach; News-Journal Lively Arts Center, 221 North Beach Street, Daytona Beach; Stock Exchange Restaurant, 125 Basin Street, Daytona Beach; Community Park Concession Trailer, 200 West Highbanks Road, Debary;

Sutra Lounge, 109 S. W. 2nd Avenue, Fort Lauderdale; and Division of Administrative Hearings, 4500 North State Road 7, Lauderdale Lakes.

DATE AND TIMES: April 19, 2004

8:00 a.m. Product Approval/ Prototype Buildings/ Manufactured Buildings POC

10:00 a.m. Meeting of the Plumbing Technical Advisory Committee.

2:00 p.m. Meeting of the Accessibility Advisory Committee.

4:00 p.m. Meeting of the Code Administration Technical Advisory Committee.

5:00 p.m. Meeting of the Budget Committee.

DATE AND TIMES: April 20, 2004

8:00 a.m. Meeting of the Plenary Session of the Florida Building Commission.

Review and approval of March 2, 2004 Meeting Minutes, review and update Commission Workplan; Chair's Discussion Issues and Recommendations.

8:30 a.m. Consideration of requests for waiver from accessibility code requirements: Tampa Bay Amphitheatre at the Florida State Fairgrounds, 4802 US Highway 301, North, Tampa; Tampa Museum of Art, 600 North Ashley Drive, Tampa; Quantic Engineering and Logistics Corporation, 8317 Front Beach Road, Panama City Beach; News-Journal Lively Arts Center, 221 North Beach Street, Daytona Beach; Stock Exchange Restaurant, 125 Basin Street, Daytona Beach; Community Park Concession Trailer, 200 West Highbanks Road, Debary; Sutra Lounge, 109 S. W. 2nd Avenue, Fort Lauderdale; and Division of Administrative Hearings, 4500 North State Road 7, Lauderdale Lakes.

9:00 a.m. Legal Reports and consideration of Petitions for Declaratory Statement:

Second Hearing:

DCA03-DEC-334 by Gerald L. Hill

DCA04-DEC-022 by Adolf Amrhein

DCA04-DEC-030 by Palm Beach County BCAB Building Code Advisory Board

DCA04-DEC-034 by Borjen Yeh, PE, APA

First Hearing:

DCA03-DEC-325 by Art Kamm, PE, KAMM Consulting Inc.

DCA03-DEC-326 by Gregory Harris, Capri Engineering, Inc.

DCA04-DEC-040 by Ralph Ward, Sarasota County

DCA04-DEC-051 by Al Roettger, Broward Hurricane Wrol-UP

DCA04-DEC-064 by Charles Danger, Miami-Dade County Building Department

DCA04-DEC-066 by Lisa Blackstone of Close It!

DCA04-DEC-067 by John K. McCall, PhD, PE

DCA04-DEC-069 by Robert H. Boyer, Palm Beach County

DCA04-DEC-070 by Jimmy Worley, Ruffin Building Systems

Appeal:

DCA03-BC-330 Dragomirecky v. Town of Ponce Inlet

9:20 a.m. Consideration of Applications for Product and Entity Approval

9:45 a.m. Consideration of Committee Reports and Recommendations: Accessibility TAC Report; Code Administration TAC Report, Plumbing TAC Report; Structural TAC Report; and Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee Report.

10:00 a.m. Rule Adoption Hearing on Rule 9B-3.047, Florida Building Code.

10:30 a.m. Rule Development Workshop on Rule 9B-3.048, 3.049, and 3.050, Florida Building Code.

10:45 a.m. Rule Development Workshop on Rule 9B-72, Product Approval.

12:00 p.m. Receive public comment.

A copy of the Committee and Commission meeting agendas and other documents may be obtained by sending a request in writing: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436, or looking on the web site at www.floridabuilding.org

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Barbara Bryant at the Department of Community Affairs, (850)487-1824 at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces the following meeting dates, times, and location for the Criminal Justice Standards and Training Commission and related meetings:

Training Center Directors' Committee Meetings

DATE AND TIME: Tuesday, May 4, 2004, 9:30 a.m.

Training Center Directors' Business Meeting

DATE AND TIME: May 4, 2004, 1:30 p.m.

Probable Cause Determination Hearings

DATE AND TIME: Wednesday, May 5, 2004, 8:30 a.m.

Regional Criminal Justice Selection Center Directors' Association

DATE AND TIME: Wednesday, May 5, 2004, 1:00 p.m.

2004 Proposed Rules Workshop

DATE AND TIME: Wednesday, May 5, 2004, 2:00 p.m.

CJS&T Commission meeting business agenda

DATE AND TIME: Thursday, May 6, 2004, 8:30 a.m.

Officer Discipline Case Proceedings

DATE AND TIME: Thursday, May 6, 2004, 10:30 a.m.

PLACE: Hilton Naples & Towers, 5111 Tamiami Trail North, Naples, Florida 34103 (GUESTROOM RATE: \$69.00 for single or double occupancy; TELEPHONE NUMBER FOR HOTEL RESERVATIONS: Phone (239)430-4900, Fax (239)430-4901)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meetings are held to discuss issues relating to standards, training, examinations, certification, de-certification, and record management for law enforcement, correctional, and correctional probation officers, Commission rules, and certification and recertification of criminal justice training schools. All parties are invited to attend.

COMMISSION MEETING AGENDAS: A copy of the May 2004 Commission Meeting agenda may be obtained by contacting: Donna Hunt, (850)410-8615.

Please feel free to contact Ms. Donna Hunt, (850)410-8615, email: dannahunt@fdle.state.fl.us, if you have any questions concerning the May 6, 2004 Commission meeting and related meetings. The agenda and Commission issues will be posted to the FDLE website on April 16, 2004, and may be accessed at www.fdle.state.fl.us, (click on Criminal Justice Resource Center, click on "Rules, Policies, and Commission Information, click on "Commission" and then click on "agenda.")

A copy of the Officer Discipline Agenda may be obtained by contacting: Brenda Presnell, (850)410-8648.

If you wish to write the Commission for a copy of the above meeting agendas, please write: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt or Brenda Presnell. If you wish to write or call for a copy of the Training Center Directors' Association agenda, please write to Training Center Director Association Chairman Edward Mandt, Broward Community College, 3501 S. W. Davie Road, Ft. Lauderdale, Florida 33314, or call (954)201-6788.

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 5 days prior to the meeting.

DEPARTMENT OF TRANSPORTATION

The **Florida Wildflower Foundation** announces a meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 27, 2004, 10:00 a.m. – 2:00 p.m.

PLACE: North Florida Regional Education Center (NFREC), Suwannee Valley Center, 7580 County Road 136, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conference Planning Committee Meeting. The purpose of the meeting is to develop plans for a “Seeds for the Future II” conference to be held in 2005.

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: April 29, 2004, 7:00 p.m.

PLACE: The Florida Department of Transportation’s Training Center, 2250 Irene Street (corner of I-10 and Stockton Street), Jacksonville, 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 209648-3; otherwise known as State Road 228 Post and College Streets, 2-Way Conversion Study in Jacksonville, Duval County, Florida. Post Street – SR-228 (Eastbound). The proposed improvements for SR-228 (Post Street) from McDuff Avenue include pavement milling and resurfacing, constructing turn lanes at the intersections of King Street, Stockton Street and Margaret Street (which may require removal of some on street parking), traffic signals, some drainage improvements, re-striping the roadway for two-way traffic. College Street – SR-228 (Westbound). The proposed improvements for SR-228 (College Street) from Margaret Street to Roosevelt Boulevard include pavement milling and resurfacing, constructing turn lanes at the intersections of King Street, Stockton Street and Margaret Street (which may require removal of some on street parking), traffic signals, some drainage improvements, re-striping the roadway for two-way traffic. The public hearing will also discuss proposed changes to the number of the State Highway System in Jacksonville. It is proposed that Post Street and College Street (also known as SR-228, SR-15 and U.S. 17), from Roosevelt Boulevard to Riverside Avenue (SR-211) be transferred from the State

Highway System to the City of Jacksonville. It is proposed to ultimately re-route US 17 and SR-228 to I-10, I-95 and Forest Street instead of Post and College Street.

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 telephone number (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.”

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the **State Board of Administration** of a public meeting of the Advisory Council to the Florida Hurricane Catastrophe Fund to which all persons are invited.

DATE AND TIME: Tuesday, May 18, 2004, 1:00 p.m. – 4:00 p.m., Eastern Daylight Time

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308 (Persons who wish to participate by phone may call (850)488-5778 or Suncom 278-5778, on the date and at the time indicated for access to the meeting.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the May bonding estimates and to seek Council approval for the Florida Hurricane Catastrophe Fund to file Rule 19-8.028, F.A.C. (Premium Formula) for adoption. In addition, other general business of the Council will be addressed.

Anyone wishing a copy of the agenda should contact: Donna Sirmons, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300.

In compliance with the Americans with Disabilities Act, any person needing special accommodations to participate in the meeting is requested to call Donna Sirmons, (850)413-1349, five days prior to the meeting so that appropriate arrangements can be made.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Advertising Agency Selection Committee to which all persons are invited.

DATE AND TIME: Friday, April 9, 2004, 10:00 a.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to select semi finalist for the position and to discuss any other issues that may properly come before the Council.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting: Mr. Art Johnson, (863)499-2510.

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

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

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review progress of research in relation to the Harvesting Program and to review proposals for research funding for FY 2004-2005 and to discuss other business that might come before the council for consideration.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone at (863)499-2510.

The **Department of Citrus** announces a public meeting of the Advertising Agency Selection Committee to which all persons are invited.

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

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to receive a FDOC briefing, assign written assignments to semi finalist and to discuss any other issues that may properly come before the Council.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting: Mr. Art Johnson, (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 14, 2004, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). A copy of the Agenda may be obtained by writing: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: April 19, 2004, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

In the event of a scheduling conflict, this meeting may be rescheduled to April 20, 2004, in Room 140, immediately preceding or immediately following the Commission Conference.

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 030300-TP – Petition for expedited review of BellSouth Telecommunications, Inc.'s intrastate tariffs for pay telephone access services (PTAS) rate with respect to rates for payphone line access, usage, and features, by Florida Public Telecommunications Association.

DATE AND TIME: April 19, 2004, 1:30 p.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: April 20, 2004, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces an informal customer meeting in the following docket, to which all interested persons are invited.

Docket No. 030446-SU – Application for rate increase by Mid-County Services, Inc.

DATE AND TIME: April 26, 2004, 6:00 p.m.

PLACE: Dunedin City Commission Chambers, 542 Main Street, Dunedin, Florida 34697

The meeting will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the meetings may be adjourned. All persons desiring to comment on the utility's requested increase are urged to appear at the beginning of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit members of the public to comment regarding the request for rate increase by Mid-County Services, Inc. At the meeting, customers may be heard on any and all issues in the case relating to this request.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting.

Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD). One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

Notice is hereby given that the **Telecommunications Access System Act (TASA) Advisory Committee** to the Florida Public Service Commission will hold a committee meeting to which all parties and other interested persons are invited.

DATE AND TIME: Friday, April 30, 2004, 1:00 p.m.

PLACE: Room 152, Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss current relevant issues related to relay such as Captel, Service Quality, FTRI's 2004-2005 proposed budget, upcoming Request for Proposals, and other items.

Further information regarding this meeting may be obtained from Della Fordham, Division of Competitive Markets and Enforcement at the Florida Public Service Commission, by calling (850)413-6512.

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

REGIONAL PLANNING COUNCILS

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, May 19, 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.

The **Withlacoochee Regional Planning Council** announces a public meeting of its Board of Directors to which all persons are invited.

DATE AND TIME: Thursday, April 15, 2004, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34474-2798.

Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the meeting is made, including the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

Please note new address: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 (Please call to confirm date, time and location)

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, May 10, 2004, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, May 10, 2004, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, May 10, 2004, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, May 24, 2004, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

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

PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33917

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Regional Planning Council.

A copy of the proposed agenda may be obtained by writing: Mr. David Burr, Executive Director, Southwest Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, FL 33918-3455.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

All Council Subcommittee meetings will immediately follow the Council meeting.

Any person requiring special accommodation due to disability or physical impairment should contact Mr. David Burr, (239)656-7720, at least five calendar days prior to the meeting. Persons who are hearing impaired should contact Mr. Burr using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Treasure Coast Regional Planning Council** announces a meeting of its Nominating Committee.

DATE AND TIME: April 16, 2004, 9:00 a.m. prior to the Regular Council meeting

PLACE: Ramada Inn, 1200 S. Federal Highway, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Council's Nominating Committee.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (772)221-4060, at least 48 hours before the meeting.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: April 16, 2004, 9:30 a.m.

PLACE: Ramada Inn, 1200 S. Federal Highway, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Council.

A copy of the agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (772)221-4060, at least 48 hours before the meeting.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

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

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters.

Public hearing in accordance with Section 373.59, F.S., concerning the proposed purchase of the Beckerleg Tract, 1.84 acres +/- in the Charles Springs Estates Subdivision, Unit 1, Suwannee County, Florida.

Following the Board meeting the Board will attend a workshop.

A copy of the agenda may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: April 13, 2004, 12:00 Noon

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee Meeting.

Information may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

If any person decides to appeal any decision with respect to any matter considered at the above cited meeting, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **St. Johns River Water Management District** announces the following PROJECTS AND LAND COMMITTEE MEETINGS/WORKSHOP AND TOUR which may be conducted by means of or in conjunction with communications technology. All persons are invited.

Projects and Land Committee public meeting/workshop

DATE AND TIME: Thursday, April 8, 2004, 6:00 p.m.

Projects and Land Committee business meeting followed by a land tour of Water Supply Projects

DATE AND TIME: Friday, April 9, 2004, 8:00 a.m. – 11:00 a.m.

PLACE: Ocean Hammock Resort, Flagler Meeting Rooms #1 & #2, 300 Clubhouse Drive, Palm Coast, FL 32137

A tour of District Water Supply Projects.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public meeting/Workshop for Water Supply Projects and District Projects; Business meeting to consider Governing Board Committee agenda items.

An agenda can be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, FL 32178-1429 or by calling Sonia Blake, Water Resources Dept., (386)312-2330.

NOTE: In the event of a declared emergency or emergency conditions, all or part of these meetings may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

The **St. Johns River Water Management District** announces the following Public Rule Workshop to which all persons are invited. The workshop will be held as follows:

DATE AND TIME: April 20, 2004, 6:00 p.m. – 8:00 p.m.

PLACE: City of Deltona Council Chambers, 2345 Providence Blvd., Deltona, Florida 32725

GENERAL SUBJECT MATTER TO BE DISCUSSED: Minimum Flows for Blue Spring. A Notice of Proposed Rule Development was published in the Florida Administrative Weekly on November 21, 2003.

If any person decides to appeal any decision with respect to any matter considered at the above listed public workshop, such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Anyone requiring special accommodations to participate in this workshop is requested to advise the District at least 5 work days before the meeting by contacting Norma Messer, (386)329-4459 or (386)329-4450 (TDD).

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

LAKE PANASOFFKEE RESTORATION COUNCIL

DATE AND TIME: Monday, April 5, 2004, 5:00 p.m.

PLACE: Sumter County Court House Commission Chambers, 209 North Florida Street, Bushnell, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Council business.

WITHLACOOCHEE RIVER BASIN BOARD MEETING (Note: This meeting, scheduled for Tuesday, April 13, 2004, at 8:30 a.m., is CANCELLED. The meeting will be rescheduled at a later date.)

COASTAL RIVERS BASIN BOARD MEETING (Note: This is a change of location from what was originally published in the year-long calendar.)

DATE AND TIME: Tuesday, April 13, 2004, 1:00 p.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications; also including amendment of the Coastal Rivers Basin Fiscal Year 2004 budget to include \$200,000 of unanticipated revenue from the U.S. Environmental Protection Agency for water quality improvement and restoration of the Weeki Wachee Springs and upper River (\$200,000). The budget amendment has no impact on Basin millage.

PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, April 14, 2004, 9:00 a.m.

PLACE: St. Petersburg City Hall, 175 5th Street, North, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4609, TDD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **Southwest Florida Water Management District** announces the following meeting to which all interested parties are invited.

INDUSTRIAL ADVISORY COMMITTEE

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

PLACE: Bartow Service Office, 170 Century Boulevard, Bartow, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community and Legislative Affairs Department, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disability Act (ADA) should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** announces a change to the meeting place for the following meeting to which all interested parties are invited.

PUBLIC SUPPLY ADVISORY COMMITTEE

DATE AND TIME: Friday, April 16, 2004, 9:30 a.m.

PLACE: Tampa Bay Water Regional Surface Water Treatment Plant, 9302 Stannum Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

A copy of the agenda may be obtained by writing: Planning Department, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disabilities Act (ADA) should call 1(800)423-1476 (Florida) or (352)796-7211, Extension 4757, Fax (352)754-6883, TTD ONLY 1(800)231-6103 (Florida).

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: April 12, 2004, 1:00 p.m. – 4:00 p.m.

PLACE: South Florida Water Management District's Okeechobee Service Center Auditorium, 205 North Parrott Ave, Suite 201, Okeechobee, FL 34972, (863)462-5260, 1(800)250-4200

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public presentation regarding the proposed scope for the Kissimmee Chain of Lakes Long Term Management Plan and related Kissimmee Basin Water Supply Plan initiatives.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, Florida 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 desire more information, please contact: Christine Carlson, Ecosystem Restoration Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6143.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Medicaid Committee Meeting to which all persons are invited.

DATE AND TIME: Friday, April 9, 2004, 1:00 p.m. – completion

PLACE: 2740 Centerview Drive, Suite 1A, Rhyne Building, Tallahassee, FL (850)410-5700, Conference Call (850)487-8587, Suncom 277-8587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Medicaid non-emergency transportation issues.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a joint meeting of the Finance, Audit, and Program Performance Committee and the Rate Review Committee to which all persons are invited.

DATE AND TIME: Monday, April 12, 2004, 1:00 p.m. – completion

PLACE: 2740 Centerview Drive, Suite 1A, Rhyne Building, Tallahassee, FL, (850)410-5700, Conference Call (850)921-5230, Suncom 291-5230

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular committee business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Tiffany McNabb, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Regular Board Meeting to which all persons are invited:

DATE AND TIME: Monday, April 19, 2004, 9:00 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing to Tampa Bay Water or can be accessed on the Web at www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs** and the Executive Board of Northwest Florida Area Agency on Aging announces the following meeting of Executive Board members and the Department of Elder Affairs staff. All interested parties are invited to attend.

DATE AND TIME: April 9, 2004, 2:00 p.m., central standard time (Time of adjournment will depend on the extent of the issues discussed)

PLACE: Northwest Florida Area Agency on Aging Office, 3300 North Pace Boulevard, Suite 200, Pensacola, Florida 32505, (850)595-5420, Suncom 695-5420

CONTACT: For questions concerning this meeting, please contact: Dorothy Peoples, (850)595-5240, Suncom 695-5420, e-mail: peoplesd@elderaffairs.org.

GENERAL SUBJECT MATTER TO BE DISCUSSED: Issues regarding the Area Agency on Aging, Lead Agencies and Service Providers.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Statewide Community Based Services,

(850)414-2140, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department of Elder Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting of the task force for the regular Disproportionate Share Program to which all persons are invited.

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

PLACE: Telephone (850)410-0966 or Suncom 210-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Senate Bill 2-A, General Appropriations Act for FY 2003-04, Specific Appropriation 150, The Medicaid Disproportionate Share Task Force created in Specific Appropriation 196 of the FY 2000-01 General Appropriations Act, has been authorized to continue to convene in FY 2003-04 for the purpose of monitoring the implementation of enhanced Medicaid funding through the Special Medicaid Payment program. The task force will review the federal status of the upper payment limit (UPL) funding option and recommend how this option may be further used to promote local primary care networks to uninsured citizens in the state, to increase the accessibility of trauma centers to Floridians and to ensure the financial viability of the state's graduate medical education programs and other health care policies determined by the task force to be state health care priorities.

The agenda has not been set. Contact Edwin Stephens, (850)413-8067 or Suncom 294-8067, with any questions or to obtain an agenda when it is set.

The **Agency for Health Care Administration** announces a public meeting of the task force for the regular Disproportionate Share Program to which all persons are invited.

DATE AND TIME: April 16, 2004, 9:00 a.m. – 11:00 a.m.

PLACE: Telephone (850)410-0966 or Suncom 210-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Senate Bill 2-A, General Appropriations Act for FY 2003-04, Specific Appropriation 150, The Medicaid Disproportionate Share Task Force created in Specific Appropriation 196 of the FY 2000-01 General Appropriations Act, has been authorized to continue to convene in FY 2003-04 for the purpose of monitoring the implementation of enhanced Medicaid funding through the Special Medicaid Payment program. The task force will review the federal status of the upper payment limit (UPL) funding option and recommend how this option may be further used to promote local primary care networks to uninsured citizens in the state, to increase the accessibility of trauma centers to Floridians and to ensure the

financial viability of the state's graduate medical education programs and other health care policies determined by the task force to be state health care priorities.

The agenda has not been set. Contact Edwin Stephens, (850)413-8067 or Suncom 294-8067, with any questions or to obtain an agenda when it is set.

The **Agency for Health Care Administration** announces a public meeting of the task force for the regular Disproportionate Share Program to which all persons are invited.

DATE AND TIME: April 23, 2004, 9:00 a.m. – 11:00 a.m.

PLACE: Telephone (850)410-0966 or Suncom 210-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Senate Bill 2-A, General Appropriations Act for FY 2003-04, Specific Appropriation 150, The Medicaid Disproportionate Share Task Force created in Specific Appropriation 196 of the FY 2000-01 General Appropriations Act, has been authorized to continue to convene in FY 2003-04 for the purpose of monitoring the implementation of enhanced Medicaid funding through the Special Medicaid Payment program. The task force will review the federal status of the upper payment limit (UPL) funding option and recommend how this option may be further used to promote local primary care networks to uninsured citizens in the state, to increase the accessibility of trauma centers to Floridians and to ensure the financial viability of the state's graduate medical education programs and other health care policies determined by the task force to be state health care priorities.

The agenda has not been set. Contact Edwin Stephens, (850)413-8067 or Suncom 294-8067, with any questions or to obtain an agenda when it is set.

The **Agency for Health Care Administration** announces a public meeting of the task force for the regular Disproportionate Share Program to which all persons are invited.

DATE AND TIME: April 30, 2004, 9:00 a.m. – 11:00 a.m.

PLACE: Telephone (850)410-0966 or Suncom 210-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Senate Bill 2-A, General Appropriations Act for FY 2003-04, Specific Appropriation 150, The Medicaid Disproportionate Share Task Force created in Specific Appropriation 196 of the FY 2000-01 General Appropriations Act, has been authorized to continue to convene in FY 2003-04 for the purpose of monitoring the implementation of enhanced Medicaid funding through the Special Medicaid Payment program. The task force will review the federal status of the upper payment limit (UPL) funding option and recommend how this option may be further used to promote local primary care networks to uninsured citizens in the state, to increase the accessibility of trauma centers to Floridians and to ensure the

financial viability of the state's graduate medical education programs and other health care policies determined by the task force to be state health care priorities.

The agenda has not been set. Contact Edwin Stephens, (850)413-8067 or Suncom 294-8067, with any questions or to obtain an agenda when it is set.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Department of Management Services** announces a meeting of the Statewide Florida State Employees' Charitable Campaign (FSECC) Steering Committee, Subcommittee on Listing Order, to which all persons are invited:

DATE AND TIME: April 14, 2004, 10:00 a.m.

PLACE: Capitol Bldg., PL-11, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the FSECC Steering Committee Subcommittee on Listing Order to review submitted material pertaining to campaign brochure listing order.

For more information about the meeting, for a copy of the agenda, or if special accommodations are needed to attend this meeting because of a disability, please contact: John Kuczanski, Department of Management Services, 4050 Esplanade Way, Suite 280, Tallahassee, FL 32399-0950, (850)921-5266.

There will be a combined **JTF SOP (Standard Operating Procedures) committee** and **JTF Technical Committee** meeting:

DATES AND TIME: Monday and Tuesday, April 12-13, 2004, 8:30 a.m. – 4:30 p.m.

For a copy of the agenda and location, please contact: Todd Preston, (850)410-0656, Ext. 17120.

The State of Florida, **State Technology Office** announces a Chief Information Officer (CIO) Council Meeting to which all persons are invited.

DATE AND TIME: Monday, April 19, 2004, 10:00 a.m. – 12:00 Noon

PLACE: Conference Room 124, Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Elaine Womble, Elaine.womble@myflorida.com or call (850)922-2680.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation**, Hospitality Education Program announces the following teleconference:

MEETING: The Division of Hotels and Restaurants Advisory Council Teleconference

DATE AND TIME: April 9, 2004, 10:00 a.m.

PLACE: Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, Hospitality Education Program, One Champions Way, Florida State University, Tallahassee, Florida 32306

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve grant applications for the 2004-2005 School-to-Career Transition Program. Only that portion of the meeting wherein cases are presented for consideration by the committee will be open to the public.

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 Angel Gonzalez, Department of Business and Professional Regulation, Hospitality Education Program, (850)644-8248, at least five (5) working days prior to the meeting.

The Florida **Board of Architecture and Interior Design** announces the following meeting, to be held by telephone conference call, which all persons are invited to attend.

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

PLACE: Toll Free 1(888)816-1123 or (850)921-5230

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired,

please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Architecture and Interior Design** announces the following meeting, which all persons are invited to attend.

DATE AND TIME: April 27, 2004, 8:00 a.m., Eastern Standard Time

PLACE: Embassy Suites Hotel, 3705 Spectrum Blvd., Tampa, Florida 33612, (813)977-7066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Workshop, Architecture, Interior Design, Rules, and Continuing Education Task Force Committee Meetings, followed by General Board and Business Meeting.

DATE AND TIME: April 28, 2004, 8:00 a.m., Eastern Standard Time

PLACE: Embassy Suites Hotel, 3705 Spectrum Blvd., Tampa, Florida 33612, (813)977-7066

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-8304, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies**, announces an official general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 21, 2004, 8:30 a.m. or soon thereafter

PLACE: Sheraton Suites Tampa Airport, 4400 W. Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling their office at (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the board office at (850)487-8304. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Florida Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Funeral Directors and Embalmers** announces the following meetings to which all parties are invited to attend.

DATE AND TIME: May 11, 2004, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee meeting, Rules Committee meeting and Probable Cause Panel meeting, portions which are closed to the public.

DATE AND TIME: May 12, 2004, 8:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

PLACE: Hawthorn Suites Universal, 7601 Canada Avenue, Orlando, FL 32819, (407)581-2151

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Funeral Directors and Embalmers, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)487-1395, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Veterinary Medicine** announces the following meeting to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: April 23, 2004, 9:00 a.m.

PLACE: Access Phone (850)922-7892, Suncom 292-7892, Toll Free 1(800)416-4132

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which, are closed to the public. Agenda available on request.

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 Probable Cause Panel of the **Building Code Administrators and Inspectors Board** announces a meeting.

DATE AND TIME: April 6, 2004, 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Brian Higgins, Assistant General Counsel, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (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 Real Estate Commission** (FREC) announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, April 20, 2004, 8:30 a.m.; reconvening Wednesday, April 21, 2004, 8:30 a.m.

PLACE: Division of Real Estate; Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk of the Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: April 21, 2004, 2:00 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.) at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

The Florida **Department of Juvenile Justice**, Juvenile Justice and Delinquency Prevention State Advisory Group announce a meeting.

DATES AND TIME: May 20-21, 2004, 9:00 a.m. – 5:00 p.m.

PLACE: Diamond Head Resort, 2000 Estero Boulevard, Ft. Myers Beach, Florida 33931

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the State Advisory Group.

A copy of the agenda may be obtained by calling: Ana Valdes, Office of Prevention and Victim Services (850)410-2577.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the Department of Juvenile Justice, Office of Prevention and Victim Services (850)488-3302, no later than (7) days prior to the meeting at which such special accommodation is required.

DEPARTMENT OF HEALTH

The **Department of Health, Bureau of Emergency Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2004, 11:00 a.m. – 1:00 p.m.

PLACE: Bureau of Emergency Medical Service, 4025 Esplande Way, Tallahassee, FL 32399-1738, (850)245-4440, 1(800)622-1038, Toll Free Number to call into meeting (877)651-3473

GENERAL SUBJECT MATTER TO BE CONSIDERED: A committee appointed by the Bureau of Emergency Medical Services is holding a meeting to assist the Department of Health in the implementation of the 1999 trauma legislation which requires the development of criteria for the consultation and transfer of trauma victims between trauma centers and acute care hospitals.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, FL 32399-1738 or by calling George Schaffer, (850)245-4440.

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 before April 7, 2004, by contacting: George Schaffer, (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).
Purchase Order Number B00829.

The **Department of Health, Bureau of Emergency Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2004, 2:30 p.m. – 4:30 p.m.
PLACE: Bureau of Emergency Medical Service, 4025 Esplande Way, Tallahassee, FL 32399-1738, (850)245-4440, 1(800)622-1038, Toll Free Number to call into meeting 1(877)651-3473

GENERAL SUBJECT MATTER TO BE CONSIDERED: A subcommittee (Trauma Agency/Trauma System Evaluation Subcommittee), appointed by the State Trauma System Plan Implementation Committee, is holding a meeting to assist the Department of Health in the implementation of a trauma system evaluation tool to evaluate trauma care in areas of the state that do not have trauma agencies.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, FL 32399-1738 or by calling George Schaffer, (850)245-4440.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this conference call is asked to advise the agency before April 7, 2004, by contacting: George Schaffer, (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). Purchase Order Number B00829.

The **Correctional Medical Authority** announces a meeting to be held at Tallahassee, Florida, to which all persons are invited:

DATE AND TIME: April 16, 2004, 8:30 a.m. – 12:30 p.m.
PLACE: Correctional Medical Authority Conference Room, 1632 Metropolitan Circle, Tallahassee, Florida 32308, (850)410-1450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin #B04, Tallahassee, FL 32399-1732, (850)410-1450.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**, announces a telephone conference call in which reconsiderations will be heard.

DATE AND TIME: April 16, 2004, 9:00 a.m. – 12:00 p.m.
PLACE: Call (850)245-4474 to inquire about call-in number
GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay system at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Health, Board of Hearing Aid Specialists**, announces a telephone conference call. All interested parties are invited to attend with the information listed below, which is normally open to the public.

DATE AND TIME: April 20, 2004, 4:00 p.m.
PLACE: Call (850)245-4474 to inquire about call-in number
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to meeting date.

The Florida **Board of Massage Therapy** will hold the following Education Task Force meeting to which all persons are invited:

DATE AND TIME: Wednesday, April 21, 2004, 12:00 p.m. or shortly thereafter

PLACE: The Hotel Orlando North, Orlando, FL 32751, (407)660-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Massage Therapy educational requirements.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595.

You will be charged seventeen cents per page for the number of copies desired. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Board of Massage Therapy** announces a meeting:

DATE AND TIME: Wednesday, April 21, 2004, 6:00 p.m. or soon thereafter

PLACE: The Hotel Orlando North, 600 North Lake Destiny Drive, Maitland, FL 32751, (407)660-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Brian Stabley, Senior Attorney, Department of Health, 4052 Bald Cypress Way, #C06, Tallahassee, FL 32399.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Practitioner Regulation Section may be contacted at 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The Florida **Board of Massage Therapy** will hold the following meeting to which all persons are invited:

DATES AND TIMES: Thursday, April 22, 2004 at 9:00 a.m., or shortly thereafter, Friday April 23, 2004 at 9:00 a.m. or shortly thereafter

PLACE: The Hotel Orlando North, Orlando, FL 32751, (407)660-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be

charged seventeen cents per page for the number of copies desired. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Rules/Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, April 1, 2004, 5:00 p.m.

PLACE: Radisson Bahia Mar Beach Resort, 801 Seabreeze Blvd., Ft. Lauderdale, FL 33316, (954)764-2233

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (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 Speech-Language Pathology and Audiology** announces a meeting to which all interested persons are invited to attend.

DATE AND TIME: Monday, April 19, 2004, 9:00 a.m. or soon thereafter

PLACE: Meet-Me Number (850)410-0966, Suncom 210-0966

GENERAL SUBJECT MATTER TO BE CONSIDERED: Laws and Rules review panel.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Speech-Language Pathology and Audiology, (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 Speech-Language Pathology and Audiology, 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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services** announces an amendment in meeting time of the following District 8, Community-Based Care Alliance meetings: Hendry/Glades Community Alliance.

DATES AND TIME: June 15, 2004; September 14, 2004; December 14, 2004, 1:30 p.m.

PLACE: LaBelle Service Center, 485 Cowboy Way, LaBelle, Florida.

Persons needing additional information should contact: Cathy Edwards, District Administration, (239)338-1435.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2004, 1:30 p.m.

PLACE: Tallahassee Police Department Training Room, Tallahassee Mall, 2415 N. Monroe Street, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the FLORIDA FIREFIGHTERS EMPLOYMENT, STANDARDS AND TRAINING COUNCIL.

A copy of the agenda may be obtained by writing: Department of Financial Services, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486, or by calling (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the address or phone number listed above no later than 48 hours prior to the meeting or workshop.

VISIT FLORIDA

The Florida **Commission on Tourism** announces a public meeting of the Transition Task Force of the New Product Development Council.

DATE AND TIME: Tuesday, March 30, 2004, 3:00 p.m. – adjournment

PLACE: VISIT FLORIDA Corporate Offices, 661 East Jefferson Street, Suite 300 Tallahassee, FL 32301, (850)488-5607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the details of implementing the new VISIT FLORIDA Council/Committee structure.

For further information contact: Jill Rutli, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, (850)488-5607, Ext. 347.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD)

FLORIDA INDEPENDENT LIVING COUNCIL

The **Florida Independent Living Council** announces the following meetings:

- MEETING: Advocacy Committee Meeting
- DATE AND TIME: Thursday, April 1, 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, April 15, 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, April 22, 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, April 29, 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)

COUNCIL FOR EDUCATION POLICY, RESEARCH AND IMPROVEMENT

The **Council for Education Policy, Research and Improvement** announces a public meeting.

- DATE AND TIME: Wednesday, April 14, 2004, 8:30 a.m. – 3:00 p.m.
- PLACE: Room G-01, Pepper Building, 111 West Madison Street, Tallahassee
- GENERAL SUBJECT MATTER TO BE CONSIDERED: A briefing on Career Education and other components of the Master Plan, an update on the 2004 legislative session, and a discussion of other ongoing assignments.
- For further information contact: Council office, (850)488-7894.

FLORIDA HIGHER EDUCATION FACILITIES FINANCING AUTHORITY

The **Florida Higher Education Facilities Financing Authority** will hold a telephone conference on:

- DATE AND TIME: Friday, April 16, 2004, 10:30 a.m.
- PLACE: Call (850)681-3188 for instructions on participation
- GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss consideration of Ringling School of Art & Design Series 2004 bond issue and to conduct regular board business.

For more information or to obtain a copy of the agenda, please contact: Jennifer Mock, Independent Colleges & Universities of Florida, 111 South Monroe St., Ste. 2000A, Tallahassee, Florida 32301, (850)681-3188.

Any person requiring special accommodations due to a disability should contact the agency at least five days prior to the meeting in order to request any special assistance by calling Jennifer Mock, (850)681-3188.

PALM BEACH COMMUNITY COLLEGE

The Region XII, **Training Council and Assessment Center**, Board of Directors announces a public meeting to which all interested persons are invited:

- DATE AND TIME: Tuesday, April 20, 2004, 10:00 a.m.
- PLACE: Palm Beach Community College, Criminal Justice Room 101, 4200 Congress Avenue, Lake Worth, FL 33461
- GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include but is not limited to: FDLE/CJSTC updates; Palm Beach Community College/Criminal Justice Institute Assessment Center update; Region XII Budget Approval and any other business.

A copy of the agenda may be obtained by contacting: Sue Voccola, Secretary of the Criminal Justice Institute, Palm Beach Community College, 4200 Congress Avenue, Lake Worth, FL 33461, (561)868-3403.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on March 19, 2004, from John K. McCall, Ph.D., P.E., regarding requirements for protection of glazing from wind borne missiles for a structure designed as partially enclosed.

It has been assigned the number DCA04-DEC-067.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that Robert H. Ackerman of Sarasota, Florida, has voluntarily withdrawn his Petition for Declaratory Statement received by the Southwest Florida Water Management District on January 23, 2004. Notice of receipt of this petition, which was assigned the number OGC #200408, was published in Volume 30, Number 6, of the Florida Administrative Weekly on February 6, 2004.

A copy of the withdrawal letter may be obtained by contacting: R. David Jackson, Assistant General Counsel, Office of General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899.

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, Andrew Treacy, Petitioner, Cedar Pointe Village Docket Number 2004010301

The Petitioner request a declaratory statement as to whether the division's closing of petitioner's complaint, which alleged that the association violated subsection 61B-23.0021(8), Florida Administrative Code, without taking enforcement action, was

proper where the facts showed that a group of unit owners not the board published a letter with comments about petitioner's candidacy to other owners during an election held in February. A copy of the Petition for Declaratory Statement, Docket Number 2004010301, 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."

DEPARTMENT OF HEALTH

The Board of Massage Therapy hereby gives notice that the Petition for Declaratory Statement filed by State Farm Mutual Automobile Insurance Company on November 13, 2003, and published in the December 19, 2003, Vol. 29, No. 51 issue of the F.A.W. has been withdrawn.

A copy of the Petition for Declaratory Statement may be obtained by writing: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN that the Board of Physical Therapy Practice has GRANTED a Petition for Declaratory Statement received from Southwest Volusia Healthcare Corporation, d/b/a Florida Hospital Fish Memorial. The Final Order was filed on March 18, 2004 and was given the number DOH-04-0311-DS-MQA. No written comments were received. Petitioner requested the declaratory statement with regard to the final sentence in Section 486.021(11), Florida Statutes, on the question of whether a physical therapist may implement a plan of treatment. A referral from a physician is required before a physical therapist may implement a plan of care for a hospital inpatient, but a physical therapist may implement a plan of treatment for a patient seen in an outpatient setting.

A copy of the Petition for Declaratory Statement and Final Order may be obtained by writing: Amy Carraway, Deputy Agency Clerk, Department of Health, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C01, Tallahassee, Florida 32399-3251, (850)245-4121.

**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

CALL FOR BIDS

Made by the "University of North Florida Board of Trustees, a public body corporate"

PROJECT Name, Number (if applicable) and Location: ITB #04-20 Osprey Village Fire Alarm

University of North Florida – 4567 St. Johns Bluff Road, Jacksonville, Florida 32245.

GENERAL SCOPE: Provide a new fire alarm and detection system (voice evacuation) for Buildings A, B, C, D, E, F and G of Osprey Village Apartments.

QUALIFICATIONS: All bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2.

Sealed bids will be received on,
DATE AND TIME: Monday, May 3, 2004, until 2:00 p.m. local time

PLACE: Purchasing Department, Building 6, Room 1225, University of North Florida, 4567 St. Johns Bluff Road, Jacksonville, Florida 32245, at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the:

ARCHITECT/ENGINEER: Junck and Walker Architects/Planners, Inc., 8111 Old Kings Road South, Jacksonville, FL 32217, Telephone: (904)731-4033

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Commission on Minority Economic and Business Development (formerly certification done by Department of Management Services.)

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is required to attend the pre-solicitation/pre-bid meeting to be considered to be in accordance with Good Faith Efforts as set forth in the Special Conditions. Minority Business Enterprises are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Wednesday, April 14, 2004, 2:00 p.m.

PLACE: Purchasing Department, Building 6, Room 1225 University of North Florida, 4567 St. Johns Bluff Road, Jacksonville, Florida 32224.

DEPOSIT: \$50.00 per set of drawings and Project Manual is required with a limit of three (3) sets per General Contractor or Prime Bidder; and two (2) sets of drawings and Project Manuals for Plumbing, Heating/Ventilating/Air Conditioning and Electrical Contractors acting as Subcontractors.

REFUND: The deposit shall only be refunded to those General Contractors, Prime Bidders, or Plumbing, Heating/Ventilating/Air Conditioning and Electrical Contractors acting as either prime or subcontractors, who after having examined drawings and specifications:

- a. submit a bona fide bid, or
- b. provide written evidence that they have submitted bids as subcontractors for Plumbing, Heating/Ventilating/Air Conditioning, or Electrical work, and who return the drawings and Project Manuals in good condition within fifteen (15) days after the receipt of bids.

PURCHASE: Full sets of Bidding Documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$50.00 per set for the printing and handling cost. Partial sets may be purchased at \$ N/A per sheet of the Drawings and \$ N/A per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with any supplies, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

REQUEST FOR QUALIFICATIONS (Construction)

made by the University of Florida Board of Trustees:

PROJECT: UF-236, Murphree Hall Renovation, Gainesville, Florida

SCOPE OF WORK: This project will enhance and improve Murphree Hall, a 98,000 gross square foot residence facility on the University of Florida campus that was added to the National Register of Historic Places in 1989. The scope of work includes the addition of a central air conditioning system utilizing the campus steam and chilled water systems, fan coil units, and 100% outdoor air handling units; removal and replacement of approximately 1,150 existing windows; miscellaneous plumbing, electrical, and fire protection upgrades and alterations; enhancement and modification of interior finishes and other architectural elements; and site improvements (landscape and hardscape). The construction is expected to cost between \$5,000,000 and \$10,000,000.

Generally, the work is expected to begin in June 2004 and end in June 2005. Commencement of the work will be staggered to allow a portion of the facility to remain occupied by students until December 19, 2004. The contractor must coordinate its efforts with the Owner's hazardous materials abatement and selective demolition contractor, and must make special site accommodations prior to (6) home football games during the fall of 2004. This phasing and coordination, a limited area for materials staging, and the facility's proximity to another major renovation project, the football stadium, other campus facilities, and a main city thoroughfare, will present logistical challenges to the contractor. Applicants unfamiliar with work at the University of Florida (UF) are strongly urged to familiarize themselves with the UF Construction Standards and other materials available on the Facilities Planning & Construction (FP&C) website, www.facilities.ufl.edu.

PROPOSAL: The method of delivery is design-bid-build, with an enhanced pre-qualification process due to the nature of the work. The following criteria shall be used to pre-qualify potential bidders:

1. Past Performance
2. Qualifications and Experience
3. Financial Standing & Workload
4. Safety Record

To retrieve the Statement of Qualifications forms, instructions, and additional information, go to the Facilities Planning & Construction website, www.facilities.ufl.edu. Choose "Project Information" under the PROJECTS heading; select the UF-236 project link under the "Design" heading; and click on the link entitled "Information for Contractors."

PRE-PROPOSAL MEETING: A mandatory Pre-Proposal Meeting will be held at on Thursday, April 22, at an on-campus location to be determined. The purpose will be to generally explain the technical scope of work, other project parameters such as site constraints and schedule, and the pre-qualification process. A site visit/tour will not be included at this time.

PRE-SUBMISSION INQUIRIES: Submit inquiries, questions, or comments via e-mail to the University's Project Manager identified in the Statement of Qualifications instructions. All requests for information or clarification must be submitted by 5:00 p.m., local time on April 26, 2004. Responses to questions or comments will be posted to the UF FP&C web site. No hard copy reply will be issued.

SUBMISSION OF QUALIFICATIONS: The Statement of Qualifications – one original plus four copies – shall be submitted no later than 2:00 p.m., local time on Tuesday, May 4, 2004, to the UF Division of Purchasing, Elmore Hall – Building 465, Radio Road, Gainesville, FL, (352)392-1331. Late, electronic, or facsimile (FAX) submittals are not acceptable and will not be considered.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The University of Florida is an equal opportunity institution and, as such, encourages the use of Minority Business Enterprises (MBEs) in the provision of construction related services. MBEs should have a fair and equal opportunity to compete for dollars spent by the University of Florida to procure construction-related services. Competition ensures that prices are competitive and a broad vendor base is available. MBE-related information should be sent to the Division of Small Business and Vendor Diversity Relations, P. O. Box 115250, Elmore Hall, Room 106, Gainesville, Florida 32611.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that professional services for minor projects are required in the discipline of civil engineering.

Minor projects are specific projects for construction, renovation, alterations or additions that have a basic construction budget estimated to be \$1,000,000 or less; or

studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis. The University intends to award contracts to two firms for an initial period of one year beginning on or about July 1, 2004 and ending June 30, 2005. At the option of the University and the consultant, the contract may be renewed for up to two additional one year periods.

INSTRUCTIONS:

Firms desiring to provide professional services shall apply by letter specifying the campus service agreement for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Florida State University "Professional Qualifications Supplement," dated August 8, 2003. Applications on any other form, or on versions dated prior to 08/08/03, will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered in the State of Florida to practice the required profession at the time of application. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for campus service projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained on line at www.fpc.fsu.edu or by contacting:

Lynetta Mills, Facilities Planning 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 campus service projects, contact: Ms Betsy Parks, at the address and phone listed above.

Submittals must be received at the above location, by 2:00 p.m., local time, on Tuesday, May 4, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

The New College of Florida, announces that professional services are required for the project listed below.

PROJECT NUMBER: TBA

PROJECT NAME: Campus Service Architectural/Engineering Continuing Contract, New College of Florida.

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: Multiple projects as required by New College of Florida with individual project basic construction budgets not to exceed \$1,000,000. Depending on development of projects and funding the possibility exists that the contract may expire with no projects being assigned. Work may include all aspects of Architectural projects and attendant Engineering to provide for construction of new facilities or additions, repair and renovation to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, and minor Studies (Study fee not to exceed \$50,000). Continuing Contracts selection is for a contract period of one year, renewable annually for up to two years at the discretion of New College of Florida. The consultant receiving the award will not have an exclusive contract to perform services for these projects. New College may have additional campus service professionals under contract during the same time period.

RESPONSE DUE DATE: By 4:00 p.m., April 9, 2004, Local Time.

Applications are to be sent to Mr. Ken Perlowski, Director, Campus Planning and Construction, 5700 N. Tamiami Trail, PHS 104, Sarasota, Florida 34243, Phone (941)359-4240.

INSTRUCTIONS: Submit three (3) bound copies of the following:

1. Letter of interest.
2. The most recent version of the Board of Regents "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
3. A copy of the applicant's current Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.

- 5. Completed Standard Form 254.
- 6. Completed Standard Form 255.
 - ◆ In Article 8, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.
 - Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

All proposal information submitted becomes the property of New College of Florida, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 6C-14, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

The selected firm or firms will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However they will be exempt from the one percent fee.

Continuing Contracts selection is for a contract period of one year, renewable annually for up to two additional years at the discretion of New College of Florida. The consultant receiving the award will not have an exclusive contract to perform services for these projects. New College may have additional campus service professionals under contract during the same time period.

INSTRUCTIONS:

Submit three (3) bound copies with a Table of Contents and tabbed sections in the following order:

1. Letter of Interest detailing the firm’s qualification to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor’s Financial Statement.
3. Résumés of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. Reference from prior clients received within the last five years.

RESPONSE DUE DATE: 4:00 p.m., April 9, 2004, Local Time.

Applications are to be sent to Mr. Ken Perlowski, Director, Facilities Planning and Construction, 5700 N. Tamiami Trail, PHS 104, Sarasota, Florida 34243, Phone (941)359-4240.

SHORTLIST SELECTION PROCESS: From the proposals received, the Department shall shortlist a minimum of three (3) firms.

All proposal information submitted becomes the property of the New College of Florida and will be placed on file, and not returned. Applications which do not comply with the instructions set forth above and/or do not include the qualification data required may not be considered.

The selected firm or firms will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However they will be exempt from the one percent fee.

NEW COLLEGE OF FLORIDA
PUBLIC ANNOUNCEMENT FOR CONSTRUCTION
MANAGEMENT SERVICES
CONTINUING CONTRACT

PROJECT NUMBER: TO BE ANNOUNCED
PROJECT NAME: Campus Services Construction Management Continuing Contract.

New College of Florida requests qualifications from construction management firms to provide construction management services for the project(s) listed below. Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application. The selection will be made in accordance with Chapter 6C-14, Florida Administrative Code and Section 255.29(3), F.S.

PROJECT DESCRIPTION: Multiple projects as required by New College with individual project construction budgets not to exceed \$1,000,000. Depending on development of projects and funding, the possibility exists that the contract may expire with no projects being assigned. Work may include all aspects of construction projects to provide for construction of new facilities or additions, repair and renovation to existing facilities, including but not limited to roofing work, code compliance modifications, reconfiguration of spaces, replacement of finishes, restoration and other minor works.

Public Notice
Request for Proposal
#2004-2005-01

Title: School Readiness Program Administrative Support Services

The Flagler School Readiness Coalition is requesting proposals for administrative services. The potential contractor will be responsible for providing a variety of administrative services on behalf of the Coalition board and Coalition committees for fiscal year 2004-2005.

The request for proposal will be released on April 2, 2004. Copies may be obtained by writing to the procurement manager at the address noted below:

Sonya Bosanko
1564 North Meadowcrest Blvd.
Crystal River, FL 34429

Letters of intent to submit a proposal are due on April 14, 2004. All proposals must be submitted to the procurement manager listed above by April 21, 2004.

opening of proposals will be on April 22, 2004 beginning at 10:30 a.m. The Flagler School Readiness Coalition's Procurement Committee will meet on April 29, 2004 beginning at 10:30 a.m. to review submitted proposals. Results will be posted on May 7, 2004 at 10:30 a.m. and will remain posted for 72 hours. The official opening, the procurement committee meeting and the results posting, will be located at 2100 E. Magnolia St., Bunnell, Florida 23110.

For more information regarding this request for proposal contact: Sonya Bosanko, (352)302-4633

Public Notice
Request for Proposal
#2004-2005-01

Title: School Readiness Program Administrative Support Services

The Putnam School Readiness Coalition is requesting proposals for administrative services. The potential contractor will be responsible for providing a variety of administrative services on behalf of the Coalition board and Coalition committees for fiscal year 2004-2005.

The request for proposal will be released on April 2, 2004. Copies may be obtained by writing to the procurement manager at the address noted below:

Sonya Bosanko
1564 North Meadowcrest Blvd.
Crystal River, FL 34429

Letters of intent to submit a proposal are due on April 14, 2004. All proposals must be submitted to the procurement manager listed above by April 21, 2004.

The official opening of proposals will be on April 27, 2004 beginning at 11:00 a.m. The Putnam School Readiness Coalition's Procurement Committee will meet on May 3, 2004 beginning at 11:00 a.m. to review submitted proposals. Results will be posted on May 13, 2004 at 11:00 a.m. and will remain posted for 72 hours. The official opening, the procurement committee meeting and the results posting will be located at 200 Reid St., Palatka, FL 32117.

For more information regarding this request for proposal contact: Sonya Bosanko, (352)302-4633

Notice to Bidders
The School District of Lee County, Florida
Purchasing Department
BID REQUEST FOR:
BAKERY PRODUCTS FOR LEE COUNTY SCHOOLS
BID NO. 6184
OPENING DATE: MAY 4, 2004, TUESDAY, 2:00 P.M. EST
Request a bid package by:
Phone: (239)479-4250; Fax: (239)337-8200
In Person or Mail: 3308 Canal Street, Fort Myers, Florida 33916-6594
Complete bid package available only upon request.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA HOUSING FINANCE CORPORATION

Re-issuance of Request for Proposals
2004/02 for Feasibility Study Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Feasibility Study Services to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, April 30, 2004, to the attention of Robin Grantham, Contract Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Robin Grantham, (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/ViewPage.aspx?page=77&p1=1>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

Section XII Miscellaneous

DEPARTMENT OF EDUCATION

STATEMENT OF INVESTMENT POLICY, OBJECTIVES, AND GUIDELINES

GENERAL INFORMATION

The purpose of the Foundation for Florida’s Community Colleges, Inc., (hereinafter referred to as “Foundation”), which was organized as a non profit 501 (c) 3 charitable foundation, is to support Florida’s Division of Community Colleges. The primary goals are to:

Respect and protect the autonomy and local support of the individual colleges.

Advance excellence and innovation within Florida’s Division of Community Colleges.

Assist the Executive Director of Florida’s Division of Community Colleges in developing programs promoting diversity and excellence in the individual colleges.

Develop mutually beneficial partnerships with business, government and philanthropic organizations to improve the human and economic welfare of Florida.

Communicate the unique role and effectiveness of Florida’s Community Colleges.

Sponsor special programs and activities that enhance access and benefit students, faculty and the community.

Assist and strengthen the system’s network of community college foundations to augment private sector support.

SCOPE OF THIS INVESTMENT POLICY

This statement of investment policy reflects the investment policy, objectives, and constraints of the entire Foundation.

PURPOSE OF THIS INVESTMENT POLICY STATEMENT

This statement of investment policy is set forth by the Investment Committee of the Foundation in order to:

1. Define and assign the responsibilities of all involved parties.
2. Establish a clear understanding for all involved parties of the investment goals and objectives of Foundation assets.
3. Offer guidance and limitations to Investment Manager(s) regarding the investment of Foundation assets.
4. Establish a basis for evaluating investment results.
5. Manage Foundation assets in good faith and with ordinary care.
6. Establish the relevant investment horizon for which the Foundation assets will be managed.

In general, the purpose of this statement is to outline a philosophy and attitude that will guide the investment management of the assets toward the desired results. It is intended to be sufficiently specific to be meaningful, yet flexible enough to be practical.

DELEGATION OF AUTHORITY

The Investment Committee of the Foundation is a fiduciary, and is responsible for directing and monitoring the investment management of Foundation assets. As such, the Investment Committee is authorized to delegate certain responsibilities to professional experts in various fields. These include, but are not limited to:

1. Investment Management Consultant. The consultant may assist the Investment Committee in: establishing investment policy, objectives, and guidelines; selecting investment manager; reviewing such managers over time; measuring and evaluating investment performance; and other tasks as deemed appropriate.
2. Investment Manager. The investment manager has discretion to purchase, sell or hold the specific securities that will be used to meet the Foundation’s investment objectives.
3. Custodian. The custodian will physically (or through agreement with a sub-custodian) maintain possession of securities owned by the Fund, collect dividend and interest payments, redeem maturing securities, and effect receipt and delivery following purchases and sales. The custodian may also perform regular accounting of all assets owned, purchased, or sold, as well as movement of assets into and out of the Foundation’s accounts.
4. Additional specialists such as attorneys, auditors, actuaries, and others may be employed by the Investment Committee to assist in meeting its responsibilities and obligations to administer Foundation assets prudently.

The Investment Committee will not reserve any control over investment decisions, with the exception of specific limitations described in this statement. Managers will be held responsible and accountable to achieve the objective herein stated. While it is not believed that the limitations will hamper investment managers, each manager should request modifications that they deem appropriate.

If such experts employed are also deemed to be fiduciaries, they must acknowledge such in writing. All expenses for such experts must be customary and reasonable, and will be borne by the Foundation as deemed appropriate and necessary.

DEFINITIONS

1. “Foundation” shall mean the Foundation for Florida’s Community Colleges, Inc., located in Tallahassee, Florida.
2. “Investment Committee” shall refer to the governing board established to administer the Foundation as specified by applicable ordinance.
3. “Fiduciary” shall mean any individual or group of individuals that exercise discretionary authority or control over fund management or any authority or control over management, disposition or administration of Foundation assets.

4. "Investment Manager" shall mean any individual or group of individuals, employed to manage the investments of all or part of the plan assets.
5. "Investment Management Consultant" shall mean any individual or organization employed to provide advisory services, including advice on investment objective and/or asset allocation, manager search, and performance monitoring.
6. "Securities" shall refer to the marketable investment securities that are defined as acceptable in this statement.

ASSIGNMENT OF RESPONSIBILITY

Responsibility of the Investment Committee of the Foundation Law charges the Board of Directors with the responsibility for the management of the assets of the Foundation. The Investment Committee shall discharge its duties solely in the interest of the Foundation. The Investment Committee will do so with the care, skill, prudence and diligence under the circumstance then prevailing, that a prudent person, acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character with like aims. The specific responsibilities of the Investment Committee relating to the investment management of the Foundation assets include:

1. Projecting the Foundation's financial needs, and communicating such needs to the Investment Manager(s) on a timely basis.
2. Determining the Foundation's risk tolerance and investment horizon, and communicating these to the appropriate parties.
3. Establishing reasonable and consistent investment objectives, policies and guidelines that will direct the investment of the Foundation's assets.
4. Prudently and diligently selecting qualified investment professionals, including Investment Manager(s), Investment Consultant(s), and Custodian(s).
5. Regularly evaluating the performance of the Investment Manager(s) to assure adherence to policy guidelines and monitor investment objective progress.
6. Developing and enacting proper control procedures: For example, replacing Investment Manager(s) due to fundamental change in investment management process, or failure to comply with established guidelines.

Responsibility of the Investment Consultant(s)

The Investment Consultant's role is that of a non-discretionary advisor to the Investment Committee of the Foundation. Investment advice concerning the investment management of Foundation assets will be offered by the Investment Consultant, and will be consistent with the investment objectives, policies, guidelines and constraints as established in this statement. Specific responsibilities of the Investment Consultant include:

1. Assisting in the development and periodic review of investment policy.
2. Conducting investment manager searches when requested by the Investment Committee.
3. Providing "due diligence," or research, on the Investment Manager(s).
4. Monitoring the performance of the Investment Manager(s) to provide the Investment Committee with the ability to determine the progress toward the investment objectives.
5. Communicating matters of policy, manager research, and manager performance to the Investment Committee.
6. Reviewing Foundation investment history, historical capital markets performance and contents of this investment policy statement to any newly appointed members of the Investment Committee.

Responsibility of the Investment Manager(s)

Each Investment Manager must acknowledge in writing its acceptance of responsibility as a fiduciary. Each Investment Manager will have full discretion to make all investment decisions for the assets placed under its jurisdiction, while observing and operating within all policies, guidelines, constraints, and philosophies as outlined in this statement. Specific responsibilities of the Investment Manager(s) include:

1. Discretionary investment management including decisions to buy, sell, or hold individual securities, and to alter asset allocation within the guidelines established in this statement.
2. Reporting, on a timely basis, quarterly investment performance results.
3. Communicating any major changes to economic outlook, investment strategy, or any other factors that affect implementation of investment process, or the investment objective progress of the Foundation's investment management.
4. Informing the Investment Committee regarding any qualitative change to investment management organization: Examples include changes in portfolio management personnel, ownership structure, investment philosophy, etc.
5. Voting proxies, if requested by the Investment Committee, on behalf of the Foundation, and communicating such voting records to the Investment Committee on a timely basis.

INVESTMENT MANAGEMENT POLICY

1. Preservation of Capital – Consistent with their respective styles and philosophies, the investment managers should make reasonable efforts to preserve capital, understanding that losses may occur in individual securities.
2. Risk Aversion – Understanding that risk is present in all types of securities and investment styles, the Investment Committee recognizes that some risk is necessary to produce long-term investment results that are sufficient to

meet the Foundation's objectives. However, the investment managers are to make reasonable efforts to control risk, and will be evaluated regularly to ensure that the risk assumed is commensurate with the given investment styles and objectives.

3. Adherence to Investment Discipline – Investment managers are expected to adhere to the investment management styles for which they were hired. Managers will be evaluated regularly for adherence to investment discipline.

ATTITUDE TOWARD GIFTS

Grants, gifts, bequests and other forms of charitable contributions made to the Foundation may be placed in either the Foundation Fund or the Permanent Fund subject to the wishes of the donor/grantor.

Those contributions and grants made without restriction will be placed in the Foundation Fund for the purposes of investment. The income generated from these investments will be used to advance the causes of the Foundation. From time to time it may be necessary to expend principal on behalf of the Foundation and its causes. A majority of the Foundation's Board of Directors must approve such expenditures.

Those contributions and grants made with restrictions will be placed in the Permanent Fund for purposes of investment. The income generated from these investments will be used to advance the causes of the Foundation as designated by the donor, grantor, or board of directors.

INVESTMENT OBJECTIVES

The Foundation is composed of two Funds – the Foundation Fund and the Permanent Fund. Within each of these two Funds are three classes of investment assets: equities, fixed income securities and short term investments. With regard to these three classes of assets within the two Funds the investment objectives are considered to be the same.

Equity Growth Fund

The overall investment objective of the Equity Growth Fund shall be to obtain the highest total return on assets consistent with safety of principal. Additionally it is the objective of the fund to provide a current income rate of return that will increase at a rate greater than the rate of inflation. Such objectives will be measured over a broad market cycle of at least several years.

Fixed Income Fund

The overall investment objective of the Fixed Income Fund shall be to obtain the highest income return on assets consistent with safety and preservation of principal.

Maturities shall be staggered with a bias toward shorter maturities to insure capital preservation and to cushion the portfolio against precipitous increases in long-term interest rates.

Fixed income investments should be confined to Government, Federal Agency and Corporate obligations. Corporate obligations should be A rated or better and diversified as to industrial, finance and utility sectors.

Short-term cash shall be invested in highly liquid money market instruments such as Treasury Bills, short-term government agencies, and certificates of deposit and prime commercial paper with emphasis on quality and liquidity.

Short Term Investment Fund

The objective of the Short Term Investment Fund is to produce the highest yield consistent with safety of principal and liquidity.

Assets of the Short Term Investment Fund may only be invested in obligations of US banks, commercial paper with a minimum rating of A1 or P1, other high quality short term obligations of US companies, securities of the US Government, its Agencies, Authorities and Instrumentalities, and repurchase agreements.

INVESTMENT GUIDELINES

Allowable Assets

As a general policy, investment in stocks should be in companies listed on recognized exchanges. Allowable assets for fixed income securities and short-term investments are defined above.

Prohibited Assets

No stocks generally considered speculative in nature shall be purchased.

In addition, care should be maintained not to invest in companies whose policies and practices are inconsistent with the mission of FFCC.

Prohibited Transactions

No short sales, hedging, margin purchases and letter stock purchases shall be made.

Asset Allocation Guidelines

Investment in any one company shall not exceed 10% of total cost basis of the portfolio and investment in any one industry shall not exceed 25% of total cost basis.

Diversification for Investment Managers

At some point in the growth of the Foundation it may become necessary to select investment managers whose expertise lie within given segments of the market and to diversify the various asset portfolios to these managers.

SELECTION OF INVESTMENT MANAGER(S)

The Investment Committee's selection of Investment Manager(s) must be based on prudent due diligence procedures. A qualifying investment manager must be a registered investment advisor under the Investment Advisors Act of 1940, or a bank or insurance company. The Investment Committee will require that each investment manager provide, in writing, acknowledgment of fiduciary responsibility to the Foundation.

INVESTMENT MANAGER PERFORMANCE, REVIEW, AND EVALUATION

Performance reports generated by the Investment Consultant shall be compiled at least quarterly and communicated to the Investment Committee for review. The investment performance of total portfolios, as well as asset class components, will be measured against commonly accepted performance benchmarks.

Consideration shall be given to the extent to which the investment results are consistent with the investment objectives, goals, and guidelines as set forth in this statement. The Investment Committee intends to evaluate the portfolio(s) over a broad market cycle, but reserves the right to terminate a manager for any reason including the following:

1. Investment performance which is significantly less than anticipated given the discipline employed and the risk parameters established, or unacceptable justification of poor results.
2. Failure to adhere to any aspect of this statement of investment policy, including communication and reporting requirements.
3. Significant qualitative changes to the investment management organization.

Investment managers shall be reviewed regularly regarding performance, personnel, strategy, research capabilities, organizational and business matters, and other qualitative factors that may impact their ability to achieve the desired investment results.

INVESTMENT POLICY REVIEW

To assure continued relevance of the guidelines, objectives, financial status and capital market's expectations as established in this statement of investment policy, the Investment Committee shall review the Foundation's investment policies at least annually.

ADOPTION

The Board of Directors of the Foundation adopted this statement of investment policy on January 7, 1999.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Ridley Motorcycle Company intends to allow the establishment of Bottom Line Operations as a dealership for the sale of Ridley motorcycles, at 6051 North Washington Blvd., Sarasota (Sarasota County), Florida, on or after March 15, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Bottom Line Operations are dealer operator(s) and principal investor(s): Donald Smith, 517 Albee Road West, Nokomis, FL 34275.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jay Ridley, Vice President, Ridley Motorcycle Company, 35 N. W. 42nd Street, Oklahoma City, OK 73118.

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, Infiniti Division of Nissan North America, Inc., intends to allow the establishment of Warren Henry Infiniti, Inc. d/b/a Warren Henry Infiniti of Davie as a dealership for the sale of Infiniti vehicles, at the Southeast corner of Griffin Road and Interstate 75, Davie (Broward County), Florida (see legal description below).

Legal Description

Location: Southeast corner of I-75 and Griffin Road;
Legal: A Portion of Tract B, of Regency, according to the Plat thereof recorded in Plat Book 121 at Page 48 of the Public Records of Broward County, Florida, being more particularly described as follows:

Begin at the Northeast corner of said Tract "B", thence along the boundary of said Tract "B" the following 5 numbered courses: 1) South 01°44'27" East 581.95 feet to a Point of Cusp of a circular curve concave Southwest; 2) Northwesterly on the arc of said curve with a radius of 50.00 feet and a central angle of 65°25'02" an arc distance of 57.09 feet to a Point of Tangency; 3) North 67°09'29" West 299.86 feet to a Point of Curvature of a circular curve concave south; 4) Westerly on the arc of said curve, with a radius of 50.00 feet and a central angle of 44°41'11" an arc distance of 39.00 feet to a Point of Compound Curvature of a circular curve concave Southeast; 5) Southwesterly on the arc of said curve, with a radius of 726.50 feet and a central angle of 43°11'15" an arc distance of 547.61

feet; thence North 65°01'55" West on a line radial to the previous and next described curves 360.00 feet to the intersection with the Northwesterly boundary line of said Tract "B", also being the Southeasterly Right-of-Way line of Interstate 75, and the arc of a Concentric Curve, convave Southeast; thence Northeasterly on said boundary line, on said Right-of-Way line and on the arc of said curve, with a radius of 1086.50 feet and a Central Angle of 61°22'20" an arc distance of 1163.80 feet to the intersection with the Northerly line of said Tract "B", also being the Southerly Right-of-Way line of Griffin Road a Point of Tangency; thence North 85°16'30" East on boundary line and on said Southerly Right-of-Way line 126.71 feet to the Point of Beginning.

The name and address of the dealer operator(s) and principal investor(s) Warren Henry Infiniti, Inc. d/b/a Warren Henry Infiniti of Davie are dealer operator(s) and principal investor(s): Warren H. Zinn, 19800 N. E. 24th Ave., N. Miami Beach, FL 33169 and David M. Zinn, 999 Collins Ave., Apt. 12E, Bal Harbour, FL 33154.

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: Gary M. Frigo, Regional Vice President, Infiniti Division of Nissan North America, Inc., P. O. Box 6824, Somerset, NJ 08875-6824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Infiniti Division of Nissan North America, Inc., intends to allow the relocation of TT of Lighthouse Point, Inc. d/b/a Broward Infiniti Lighthouse Point, as a dealership for the sale of Infiniti vehicles, from its present location at 5230 North Federal Highway, Lighthouse Point, FL 33064, to a proposed

location at the intersection of Commercial Blvd. and Sawgrass Expressway, Broward County, Tamarac, FL on or after May 1, 2004 (see attached legal description).

LEGAL DESCRIPTION:

A Portion of Tract B. Westpoint Section 7 Plat, according to the Plat thereof recorded in Plat book 162, Page 23, of the public records of Broward County, Florida. More particularly described as follows:

Commence at the Southeast corner of the Southwest one-quarter (S.W. 1/4) of section 7. Township 49 South, Range 41 East:

Thence S.89°07'00"W., Along the South line of said Southwest one-quarter (S.W. 1/4) a distance of 142.53 Feet:

Thence N.00°53'00"W., A distance of 60.00 Feet to a point on the North Right-Of-Way line of Commercial Boulevard. Said point also being the point of beginning:

Thence N.44°11'07"E., A Distance of 49.44 Feet:

Thence N.82°34'09"E., A Distance of 28.19 Feet:

Thence N.00°44'46"W., A Distance of 147.99 Feet:

Thence N.03°21'27"W., A Distance of 219.48 Feet:

Thence N.00°44'46"W., A Distance of 448.88 Feet:

Thence West, A Distance of 123.79 Feet:

Thence N.85°03'39"W., A Distance of 122.74 Feet:

Thence West, A Distance of 123.15 Feet:

Thence S.72°12'21"W., A Distance of 583.40 Feet to a Point on the East Right-Of-Way line of the Sawgrass Expressway:

Thence S.17°47'39"E., Along said East Right-Of-Way line A Distance of 283.14 Feet to a Point of Curvature of a Tangent curve concave to the Northeast:

Thence Southerly, Southeasterly and Easterly along the Arc of said curve to the left, having a central angle of 73°05'23" and a radius of 540.00 Feet for an arc Distance of 688.85 Feet:

Thence S.00°53'00" E., Along a line radial to the last described curve, a Distance of 47.00 Feet to a Point on the North Right-Of-Way line for Commercial Boulevard:

Thence N.89°07'00"E., Along said Right-Of-Way line, A Distance of 273.22 Feet to the point of beginning.

Said Lands Situate within Broward County, Florida containing 14.55 acres (633.956 Square Feet), More or Less.

The name and address of the dealer operator(s) and principal investor(s) of TT of Lighthouse Point, Inc. d/b/a Broward Infiniti Lighthouse Point are dealer operator(s) and principal investor(s): Terry R. Taylor, 15 Harborage Isle Drive, Ft. Lauderdale, FL 33316.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Gary M. Frigo, Regional Vice President, Infiniti Division of Nissan North America, Inc., P. O. Box 6824, Somerset, NJ 08875-6824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF 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

On March 18, 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 Larina Parker, R.N., license number RN 9163032. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 18, 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 Elizabeth Thibault, R.N., license number RN 3369872. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 22, 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 Tanya Bernard, R.N., license number RN 9200652. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received the following 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., April 23, 2004):

APPLICATION TO MERGE

Constituent Institutions: Public Bank, St. Cloud, Florida, and Peoples State Bank of Groveland, Groveland, Florida
Resulting Institution: Public Bank

Received: March 15, 2004

APPLICATION FOR AUTHORITY TO EXERCISE TRUST POWERS

Applicant and Location: BankTrust, Santa Rosa Beach, Florida

Received: March 15, 2004

BROWARD COUNTY MEDICAL EXAMINER'S OFFICE

NOTICE OF DESTRUCTION OF LABORATORY SPECIMENS

The Broward County Medical Examiner's Office announces the Destruction of Laboratory Specimens from autopsy cases collected prior to 2002 and

Driving Under the Influence (DUI) cases collected prior to 1999.

This shall begin June 1, 2004.

If you are aware of specimens, that may require re-testing, please send a written request for preservation citing:

1. Name of the deceased or defendant
2. Approximate date of collection
3. The Medical Examiner Case Number, if known
4. Reason and terms of preservation requested

Written request must be received by May 1, 2004. If necessary, hearings will be arranged to explore these matters.

Send Written Requests to: Attn: Fauzia Ashfaque, District 17, Medical Examiner, 5301 S. W. 31 Avenue, Ft. Lauderdale, FL 33312, or Fax to: (954)327-6582, Direct queries to: (954)327-6525

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 15, 2004
 and March 19, 2004

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF BANKING AND FINANCE
Division of Securities and Finance

3E-600.015	3/19/04	4/8/04	29/52	
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DEPARTMENT OF EDUCATION
University of South Florida

6C4-4.0102	3/15/04	4/4/04	Newspaper	
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Commission for Independent Education

6E-2.004	3/16/04	4/5/04	29/47	30/8
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF REVENUE
Division of Ad Valorem Tax

12D-10.0044	3/15/04	4/4/04	29/26	29/36
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DEPARTMENT OF CORRECTIONS

33-208.002	3/16/04	4/5/04	30/6	
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33-601.800	3/19/04	4/8/04	30/7	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

61G14-17.002	3/16/04	4/5/04	30/7	
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Board of Professional Engineers

61G15-20.002	3/16/04	4/5/04	30/7	
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61G15-35.003	3/16/04	4/5/04	30/7	
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61G15-35.004	3/16/04	4/5/04	30/7	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
DEPARTMENT OF ENVIRONMENTAL PROTECTION				
62-204.800	3/19/04	4/1/04	30/6	

DEPARTMENT OF HEALTH				
Board of Optometry				
Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
64B13-3.007	3/16/04	4/5/04	30/3	30/8

DEPARTMENT OF CHILDREN AND FAMILY SERVICES				
Economic Self Sufficiency Program				
Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
65A-1.400	3/17/04	4/6/04	30/3	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
FISH AND WILDLIFE CONSERVATION COMMISSION				
Freshwater Fish and Wildlife				
68A-1.004	3/15/04	7/1/04	30/1	
68A-2.015	3/15/04	4/4/04	30/1	
68A-4.001	3/15/04	7/1/04	30/1	
68A-4.0052	3/15/04	7/1/04	30/1	
68A-5.005	3/15/04	7/1/04	30/1	
68A-13.003	3/15/04	7/1/04	30/1	
68A-13.008	3/15/04	7/1/04	30/1	
68A-15.004	3/15/04	7/1/04	30/1	
68A-15.005	3/15/04	7/1/04	30/1	

Section XIV
List of Rules Affected

				Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.				4-149.107	24/3c		
w	Signifies Withdrawal of Proposed Rule(s)				24/3c		
c	Rule Challenge Filed			4-149.108	24/3c		
v	Rule Declared Valid			4-149.109	24/3c		
x	Rule Declared Invalid			4-149.110	24/3c		
d	Rule Challenge Dismissed			4-149.1105	24/3c		
dw	Dismissed Upon Withdrawal			4-149.111	24/3c		
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	4-149.112	24/3c		
				4-149.113	24/3c		
STATE				4-149.114	24/3c		
1B-24.002	26/43			4-149.115	24/3c		
LEGAL AFFAIRS				4-149.116	24/3c		
2B-1.0025	29/42	29/48	30/7	4-149.117	24/3c		
		29/50	30/7	4-149.118	24/3c		
BANKING AND FINANCE				4-149.119	24/3c		
3D-40.0271	29/31			4-149.120	24/3c		
3D-40.043	29/31			4-149.121	24/3c		
3E-48.005	28/42			4-149.122	24/3c		
3E-600.015	29/52		30/14	4-149.123	24/3c		
3F-5.0015	29/39	29/45		4-149.124	24/3c		
3F-5.0035	29/39	29/45		4-149.125	24/3c		
3F-5.004	29/39	29/45		4-149.126	24/3c		
3F-5.006	29/39	29/45		4-149.127	24/3c		
3F-5.008	29/39	29/45		4-149.128	24/3c		
INSURANCE				4-149.129	24/3c		
4-1	29/33c			4-149.130	24/3c		
4-138.047	28/41			4-149.131	24/3c		
4-141.0016	21/2c			4-149.132	24/3c		
4-149	24/3c			4-149.133	24/3c		
4-149.101	24/3c			4-149.190	24/3c		
	24/3c			4-149.203	29/52	30/3	
4-149.102	24/3c			4-149.204	29/52	30/3	
	24/3c			4-149.205	29/52	30/3	
4-149.103	24/3c			4-149.206	29/52	30/3	
	24/3c			4-149.207	29/52	30/3	
4-149.104	24/3c			4-154.201	29/37	30/3	
	24/3c			4-154.202	29/37	29/42	
4-149.105	24/3c					30/3	
	24/3c			4-154.203	29/37	29/46	
4-149.106	24/3c					30/3	
	24/3c			4-154.204	29/37	30/3	
				4-154.210	29/37	30/3	

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-154.525	29/16	29/25		5B-60.006	29/50		30/7
4-166.045	30/1	30/3		5B-60.009	29/50		30/7
4-176.013	29/36	30/3		5B-60.010	29/50		30/7
4-200.007	29/44	30/3		5B-60.013	29/50		30/7
4-211.031	27/44			5B-60.015	29/50		30/7
4-228.055	26/35			5B-60.016	29/50		30/7
4A-3.002	27/12			5E-2.011	29/32		
4A-21.115	29/37	29/46		5E-2.033	30/9		
4A-41.108	29/25			5E-13.021	30/1		30/7w
4A-62.0001	29/44	29/46			30/7		
4A-62.001	29/44	29/46		5E-13.022	30/1		30/7w
4A-62.002	29/44	29/46			30/7		
4A-62.003	29/44	29/46		5E-13.027	30/1		30/7w
4A-62.006	29/44	29/46			30/7		
4A-62.007	29/44	29/46		5E-13.030	30/1		30/7w
4A-62.020	29/44	29/46			30/7		
4A-62.021	29/44	29/46		5E-13.031	30/1		30/7w
4A-62.022	29/44	29/46			30/7		
4A-62.023	29/44	29/46		5E-13.032	30/1		30/7w
4A-62.030	29/44	29/46			30/7		
4A-62.031	29/44	29/46		5E-13.034	30/1		30/7w
4A-62.032	29/44	29/46			30/7		
4A-62.033	29/44	29/46		5E-13.035	30/7		
4A-62.034	29/44	29/46		5E-13.036	30/1		30/7w
4A-62.035	29/44	29/46			30/7		
4A-62.036	29/44	29/46		5E-13.037	30/1		30/7w
4A-62.040	29/44	29/46			30/7		
4A-62.041	29/44	29/46		5E-13.039	30/1		30/7w
4A-62.042	29/44	29/46			30/7		
4A-62.043	29/44	29/46		5E-13.040	30/1		30/7w
4A-62.044	29/44	29/46			30/7		
4A-62.045	29/44	29/46		5E-14.103	30/7		
4C-6.003	29/38			5E-14.142	30/7		
4C-40.0055	28/47			5F-11.029	29/52		
4L-24.0231	29/39	29/46		5I-4.002	29/34	30/13	
AGRICULTURE AND CONSUMER SERVICES				5I-4.003	29/34	30/13	
5B-2.001	29/50	30/4	30/10	5I-4.005	29/34	30/13	
5B-2.002	29/50	30/4	30/10	5I-4.006	29/34	30/13	
5B-3.001	29/50		30/7	5I-4.007	29/34		
5B-40.0055	30/4			5I-4.008	29/34	30/13	
5B-54.003	29/50		30/10	5I-4.011	29/34		
5B-54.010	29/50		30/10	5J-15.003	30/9		
5B-54.0115	29/50		30/10	EDUCATION			
5B-54.018	29/50	30/3	30/10	6A-1	29/50c		
5B-57.001	29/52	30/7			29/52c		
5B-57.003	29/52			6A-1.0501	30/12		
5B-57.004	29/52	30/7		6A-1.0502	30/12		
5B-57.005	29/52			6A-1.0503	30/12		
5B-57.006	29/52			6A-6.030191	30/7	30/13	
5B-57.010	29/52	30/7		6A-6.03020	30/7		
5B-58.001	27/29			6A-6.03028	30/7	30/13	
	27/42	27/49		6A-6.030281	30/7		
5B-58.001(16)	27/50c			6A-6.03029	30/7		
5B-60.005	29/50		30/7	6A-6.03032	30/7		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
6A-6.0331	30/7			HEALTH AND REHABILITATIVE SERVICES			
6A-6.03311	30/7			10-5.011(1)(v)	15/46c		
6A-6.03312	30/7			10M-9.026	22/1		
6A-6.03313	30/7			10M-9.045	22/1		
6A-6.03314	30/7			LAW ENFORCEMENT			
6A-6.03411	30/7	30/13		11B-27.006	27/17		
6A-6.080	16/30			11B-30.014	19/40		
6A-10.060	30/8			REVENUE			
6A-22.001	30/7			12-24.022	28/4		
6A-22.002	30/7			12A-1.038	28/27		
6A-22.0031	30/7			12A-1.094	28/27	28/41	
6A-22.006	30/7			12A-6.038	29/17		
6A-22.010	30/7			12B-6.001(1)(c)3.b.	29/30c		
6A-22.011	30/7			12B-8	23/8c		
6C4-4.0102	Newspaper		30/14	12C-1.0187	29/48	30/5	30/11
6C6-5.016	Newspaper		30/10	12C-1.0222	29/48		30/11
6D-3.0021	29/45	29/52	30/12	12C-1.051	29/48	30/5	30/11
6D-3.007	29/45		30/12	12D-8.0082	29/44	30/1	30/9w
6E-1.0032	29/47		30/13	12D-10.0044		29/3	30/14
6E-2.001	29/47		30/13			29/9	30/14
6E-2.004	29/47	30/8	30/14			29/15	30/14
	30/13					29/21	30/14
6E-2.008	30/12					29/26	30/14
6E-3.002	28/43					29/36	30/14
6E-4.001	30/14					29/39c	30/14
6L-1.001	28/12			TRANSPORTATION			
6L-1.002	28/12			14-10.0052	28/47	29/38	30/11
6L-1.004	28/12				29/44c		30/9d
6L-1.005	28/12			14-15.002	28/13		
6L-1.006	28/12			14-15.003	26/46		
6L-1.007	28/12			14-15.0081	29/49	30/4	30/10
6L-1.008	28/12				30/9		
6L-1.009	28/12			14-22.0011	30/14		
6L-1.010	28/12			14-22.002	30/14		
6L-1.011	28/12			14-22.003	30/14		
6L-1.012	28/12			14-22.0041	30/14		
6L-1.013	28/12			14-22.005	30/14		
COMMUNITY AFFAIRS				14-22.012	30/14		
9B-3.047	30/13			14-22.0141	30/14		
9B-70.001	29/51			14-22.015	30/14		
9B-72.030		27/44	30/10	14-60.003	30/14		
		27/51	30/10	14-60.005	30/14		
	29/51		30/10	14-60.006	30/14		
9B-72.100		27/51	30/10	14-60.007	30/14		
		28/9	30/10	14-60.009	30/14		
	29/51		30/10	14-60.011	30/14		
9B-72.180		27/51	30/10	14-60.011	30/14		
		28/9	30/10	14-102.0011	30/1		30/8
	29/51		30/10	14-103.001	30/14		
9J-5.0055	18/40						
9K-8.011	28/13						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
14-103.002	30/14			STATE BOARD OF ADMINISTRATION			
14-103.003	30/14			19-8.010	30/6	30/8	
14-103.004	30/14			19-8.012	30/6	30/8	
14-103.005	30/14			19-8.013	30/6	30/8	
14-103.006	30/14			19-8.028	30/13		
14-103.007	30/14			19-8.029	30/6	30/8	
14-103.0071	30/14			19-8.030	30/6	30/8	
14-103.008	30/14			19B-11.007	30/8		
14-103.009	30/14			19B-15.001	28/8		
14-103.0091	30/14			19B-15.002	28/8		
14-103.010	30/14			19B-15.003	28/8		
14-103.011	30/14			19B-15.004	28/8		
14-114.0011	29/52		30/7	19B-15.005	28/8		
14-116.002	29/52		30/7	19B-15.006	28/8		
HIGHWAY SAFETY AND MOTOR VEHICLES				19B-15.007	28/8		
15B-2.007	30/5			19B-15.008	28/8		
15B-2.008	30/5			19B-15.009	28/8		
15B-2.0082	30/5			19B-15.010	28/8		
15B-2.009	30/5			19B-15.011	28/8		
15B-2.010	30/5			CITRUS			
15B-2.0101	30/5			20ER03-4			30/1
15B-2.0102	30/5			20-13.0011	29/50		30/8
15B-2.011	30/5			20-15.001	28/46	29/10	
15B-2.012	30/5			20-15.002	28/46		
15B-2.013	30/5			20-15.003	28/46	29/10	
15B-2.014	30/5			20-109.005	30/2		30/12
15B-2.015	30/5			20-115.001	29/50		30/8
15B-2.016	30/5			PROFESSIONAL REGULATION			
ENVIRONMENTAL REGULATION				21M-49.002	19/6c		
17-503.420	16/15			21M-50.002	19/6c		
17-503.430	16/15			21M-50.003	19/6c		
17-503.500	16/15			21M-50.007	19/6c		
17-660.300	15/50	16/8		21M-50.009	19/6c		
17-671.100	15/32			PUBLIC SERVICE COMMISSION			
17-671.200	15/32			25-6.014	29/51		30/13
17-671.300	15/32			25-6.015	29/51		
17-671.310	15/32			25-6.018	30/10		
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST				25-6.135	29/51		30/13
18-1	29/52c		30/10d	25-6.1351	29/51		30/13
18-21.003	29/27		30/10	25-30.445	29/45	30/3	30/9
18-21.004	25/48	25/50		25-30.446	29/45		30/9
	29/27		30/10				
18-21.005	29/27		30/10				
18-21.008	29/27		30/10				
18-21.009	29/27		30/10				
18-21.010	29/27		30/10				
18-21.011	29/27		30/10				

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
EXECUTIVE OFFICE OF THE GOVERNOR				33-501.310	30/7	30/12	
27E-4.001	20/11			33-507.201		26/15	30/13
27E-4.002	20/11				29/48	30/6	30/13
27E-4.003	20/11			33-601.209	30/6		30/13
27E-4.004	20/11			33-601.217	30/6		30/13
27E-4.005	20/11			33-601.220	30/6		30/13
27E-4.006	20/11			33-601.230	29/19		
27E-4.007	20/11			33-601.602		26/49	30/9
27E-4.008	20/11					27/3	30/9
					30/2		30/9
REGIONAL PLANNING COUNCILS				33-601.606	30/13		
29C-1.005	29/4			33-601.713	29/50	30/3	30/10
29I-1.001	30/12			33-601.725	28/4	28/9	
29I-1.002	30/12			33-601.738	26/48	27/38	
29I-1.003	30/12			33-601.800		26/49	30/14
29I-1.004	30/12				30/7		30/14
29I-1.005	30/12			33-601.820	30/6		30/13
29I-1.006	30/12			33-602.201	30/9	30/14	
29I-1.007	30/12			33-602.210		28/19	30/8
29I-1.008	30/12					28/21	30/8
29I-1.009	30/12			33-602.220	29/48	30/1	30/8
29I-1.010	30/12					26/50	30/13
						26/51	30/13
CORRECTIONS					29/48	30/1	30/13
33-2.001	23/25			33-602.221		30/6	30/13
33-3.0081	25/35	25/43				26/45	30/13
33-3.0082	25/35	25/43			29/48	26/50	30/13
33-3.0084	25/35	25/43		33-602.222		30/1	30/13
33-3.0085	25/35	25/43			29/48	30/6	30/13
33-3.015	21/43					30/1	30/13
33-3.018	17/14			33-602.223	29/51	30/6	30/7
33-8.0142	19/43			LABOR AND EMPLOYMENT SECURITY			
33-22.003	17/12			38E-106.401	24/1		
33-22.009	17/12			38F-8.055	22/4		
33-22.011	17/12			38I-60.200	20/7		
33-32.021	19/5			38K-1.0045	23/27		
33-32.022	19/5			WATER MANAGEMENT DISTRICTS			
33-38.001	25/35	25/43		40B-1	29/13c		
33-38.003	25/35	25/43		40B-2.321	30/14		
33-38.005	25/35	25/43		40C-1	30/9c		
33-38.006	25/35	25/43		40C-1.101	27/52		
33-38.009	25/35	25/43		40C-1.181	20/18		
33-38.010	25/35	25/43		40C-9.021	30/4		
33-38.011	25/35	25/43		40C-9.041	30/4		
33-38.012	25/35	25/43		40C-9.061	30/4		
33-204.111	27/29			40C-9.081	30/4		
33-208.002	30/6		30/14	40C-9.110	30/4		
33-208.507	26/16			40C-9.115	30/4		
33-501.302	29/39	29/44		40C-9.117	30/4		
		29/51					
		30/3					
		30/9					

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
40C-9.290	30/4			40E-20.651	29/17		
40C-9.320	30/4			40E-63.223	27/2	27/9	
40C-9.330	30/4			40E-601.314	26/9		
40C-9.340	30/4			FLORIDA LAND AND WATER ADJUDICATORY COMMISSION			
40C-9.360	30/4			42EE-1.002	30/3		
40C-9.370	30/4			42OO-1.001	30/14		
40C-400.201	21/48	21/48		42OO-1.002	30/14		
40D-0.201	20/3			42OO-1.003	30/14		
40D-1.107	29/52		30/10	42PP-1.001	30/14		
40D-1.202	19/36	19/42		42PP-1.002	30/14		
40D-2.091	22/48			42PP-1.003	30/14		
40D-2.301	22/48			42QQ-1.001	30/14		
40D-2.331	20/48			42QQ-1.002	30/14		
40D-3.502	29/44	29/52	30/7	42QQ-1.003	30/14		
40D-3.507	29/44		30/7	42RR-1.001	30/14		
40D-4.021	29/49		30/7	42RR-1.002	30/14		
40D-4.051		21/22	30/7	42RR-1.003	30/14		
		28/10	30/7				
	29/49		30/7				
40D-4.053	29/49		30/7	EXPRESSWAY AUTHORITIES			
40D-4.091	22/48			45A-2.001	21/49		
	25/3			MARINE FISHERIES COMMISSION			
	29/49	30/3	30/10	46-15.002	21/35		
40D-4.201	21/22			46-21.007(1)	18/2		
40D-4.302	29/49		30/7	46-24.003	21/27		
40D-4.381	29/49		30/7	46-37.001	20/18		
40D-6.521	24/50			46-37.002	20/18	20/25	
40D-8.6240	23/38	24/48		46-37.003	20/18		
40D-40.112	29/49		30/7	46-37.004	20/18	20/25	
40D-40.302	29/49		30/7	46-37.005	20/18		
40D-40.381	29/49		30/7	46-37.006	20/18	20/25	
40D-45.341	19/42	20/3		46-42.003	20/35		
40D-116.002	29/52			46-47.007	22/27		
40D-400.437	29/49		30/7	LOTTERY			
40D-400.439	29/49		30/7	53ER03-61			29/50
40D-400.443	29/49		30/7	53ER03-62			29/50
40D-400.475	29/49		30/7	53ER03-63			29/51
40D-602.221	28/47			53ER03-64			29/52
40E-0.019(1)(a)	29/47c			53ER03-65			30/1
40E-1.5095	29/47c			53ER03-66			30/1
40E-1.510	20/18	21/36		53ER03-67			30/2
40E-1.511(1)(b)	29/47c			53ER03-68			30/3
40E-1.603	19/4c			53ER03-69			30/3
40E-1.606	19/4c			53ER03-70			30/3
40E-1.607	19/43			53ER04-1			30/5
40E-1.612	20/18	21/36		53ER04-2			30/5
40E-1.614	20/18	21/36		53ER04-3			30/5
40E-1.669	19/4c			53ER04-4			30/6
40E-3.032	28/5			53ER04-5			30/6
40E-3.0391	28/5			53ER04-6			30/7
40E-4.091	20/18	21/36					
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40E-7.523	28/39						
40E-7.532	28/39						
40E-7.639	22/23	22/37					

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53ER04-8			30/7	59B-7.024	19/30		
53ER04-9			30/8	59B-7.025	19/30		
53ER04-10			30/9	59B-7.026	19/30		
53ER04-11			30/9	59B-7.027	19/30		
53ER04-12			30/9	59B-7.028	19/30		
53ER04-13			30/11	59B-7.029	19/30		
53ER04-14			30/11	59B-9.010	30/5		
53ER04-15			30/11	59B-9.013	30/5		
53ER04-16			30/11	59B-9.014	30/5		
53ER04-17			30/13	59B-9.015	30/5		
53ER04-18			30/13	59B-9.018	30/5		
53-1.005	30/3		30/11	59B-9.019	30/5		
53-19.0035	25/43			59B-9.020	30/5		
53-302.101	29/22			59E-1.001	20/27		
53-302.109	29/22			59E-1.002	20/27		
				59E-1.003	20/27		
				59E-1.004	20/27		
				59E-1.005	20/27		
				59E-1.006	20/27		
				59E-1.007	20/27		
				59F-1.002	20/33		
				59G-4.020	29/47		30/7
				59G-4.055	21/39	21/45	
				59G-4.070	27/6	27/18	
				59G-4.197	29/48		30/9
				59G-4.220	30/11		
				59G-4.240	29/48		30/11
				59G-4.260	29/48	30/13	
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				59G-6.010	29/52		30/7
					29/52		30/9w
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				59G-6.020	29/52		30/7
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				59G-6.030	29/52		30/7
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				59G-6.045	29/52		30/9w
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				59G-8.200	29/30	29/42	
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				59G-8.201	29/30		
				59G-8.202	29/30		
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				59G-8.204	29/30		
				59G-8.205	29/30		
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				59G-8.208	29/30		
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59G-12.003	29/41			60A-1.063	30/14		
59G-12.004	29/41			60A-1.072	30/14		
59G-12.005	29/41	29/48		60A-1.073	30/14		
59G-208.101	27/4	27/16		60A-1.074	30/14		
59H-1.00352	26/3	26/17		60A-1.081	30/14		
59M-3.005	21/25			60A-1.082	30/14		
59O-2.002	22/34	24/49		60BB-2.0255	30/9		
59O-2.003	22/34	24/49		60BB-2.037	30/9		
59O-3.002	22/34	24/49		60DD-1.002	30/4		
59O-9.003	22/34	24/48		60DD-2.001	30/11		
59Q-9.002	20/39			60DD-2.002	30/11		
59R-62.010	21/5			60DD-2.003	30/11		
59R-62.040	21/5			60DD-2.004	30/11		
59T-11.013	23/22	23/35		60DD-2.005	30/11		
59T-14.004	23/22	23/35		60DD-2.006	30/11		
59T-15.002	23/22	23/35		60DD-2.007	30/11		
59T-16.001	23/22	23/35		60DD-2.008	30/11		
59T-16.002	23/22	23/35		60DD-2.009	30/11		
59U-11.019	20/51	21/7		60DD-2.010	30/11		
59U-14.002	23/24	23/35		60DD-3.001	30/12		
59V-3.007	20/34	20/48		60DD-3.002	30/12		
59Y-5.001	23/11			60DD-3.003	30/12		
				60DD-3.004	30/12		
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				60H-1.001	30/4	30/10	
				60H-1.003	30/4	30/10	
				60H-1.006	30/4		
				60H-1.007	30/4		
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				60H-1.017	30/4	30/10	
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				60H-1.030	30/4	30/11	
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				60L-39.005	29/47		30/9
				60L-39.006	29/47		30/9
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61-50.1405	30/12			61B-50.115	30/12		
61A-4.0271	22/47			61B-50.117	30/12		
61A-7	29/47c			61B-50.119	30/12		
61A-7.001	29/41			61B-50.120	30/12		
61A-7.002	29/41			61B-50.124	30/12		
61A-7.003	29/41			61B-50.127	30/12		
	30/6c			61B-50.130	30/12		
61A-7.004	29/41			61B-50.131	30/12		
61A-7.005	29/41			61B-50.136	30/12		
61A-7.006	29/41			61B-50.139	30/12		
61A-7.007	29/41			61B-50.140	30/12		
	30/6c			61C-1.002	22/23	22/36	
61A-7.008	29/41			61C-3.002	22/23	22/36	
	30/6c			61C-5.001	26/24		
61A-7.009	29/41			61C-76.0061	21/35		
	30/6c			61C-76.0062	21/35		
61A-7.010	29/41			61D-3.003	23/36	23/44	
61A-7.011	29/41			61D-3.004	23/36	23/44	
61A-7.012	29/41			61D-6.007	30/13		
61A-7.013	29/41			61D-6.008	30/13		
61A-7.014	29/41			61D-11.001	29/50		
61A-7.015	29/41			61D-11.002	29/50	30/13	
61B-23.0028	30/12			61D-11.004	29/50		
61B-30.004	20/19			61D-11.005	29/50	30/13	
61B-30.006	22/45			61D-11.006	29/50		
61B-31.001	23/2			61D-11.007	29/50	30/13	
61B-31.002	23/2			61D-11.008	29/50	30/13	
61B-32.001	21/30			61D-11.009	29/50	30/13	
61B-36.001	29/17	29/46		61D-11.010	24/3		
61B-36.002	29/17	29/46		61D-11.012	29/50	30/13	
61B-36.003	29/17	29/46		61D-11.027	29/50	30/13	
61B-39.001	22/33			61D-13.001	30/13		
61B-39.002	22/33			61D-13.002	30/13		
61B-45.001	30/12			61D-13.003	30/13		
61B-45.007	30/12			61D-13.004	30/13		
61B-45.009	30/12			61D-13.005	30/13		
61B-45.010	30/12			61D-13.006	30/13		
61B-45.011	30/12			61E1-1.001	29/41	30/6	
61B-45.016	30/12			61E1-1.002	29/41	30/3	
61B-45.019	30/12					30/9	
61B-45.020	30/12			61E1-2.001	29/41	30/3	30/12
61B-45.024	30/12			61E1-2.006		23/40	30/12
61B-45.031	30/12				29/41	30/4	30/12
61B-45.033	30/12			61E1-3.001	29/41	30/3	30/12
61B-45.035	30/12				29/50		30/11
61B-45.043	30/12			61E1-4.001	29/41	30/3	30/12
61B-45.044	30/12			61E1-4.002	29/41	30/3	30/12
61B-45.048	30/12			61E1-4.003	29/41	30/3	30/12
61B-50.101	30/12			61E1-5.001	29/50		30/11
61B-50.105	30/12			61F3-8.002	20/27	20/32	
61B-50.106	30/12			61F6-34.001	20/7		
61B-50.107	30/12			61F6-50.007	18/53	20/24	
				61F9-6.0035	19/36		

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61F9-6.013	19/36			61G15-21.004	29/41		30/10
61F14-3.016	19/36			61G15-21.005	29/41		30/10
61G-3.5082	27/4			61G15-22.006	29/35		
61G1-11.017	29/47			61G15-24.001	29/41	30/7	30/8w
61G1-12.001	29/47		30/8w		30/8		
61G1-14.001	29/47		30/10	61G15-30.009	29/41		30/8w
61G1-20.001	29/47		30/10		30/8		
61G1-23.025	29/28			61G15-35.003	30/7		30/14
61G1-23.030	29/28			61G15-35.004	30/7		30/14
61G1-23.040	29/28			61G16-2.001	23/12		
61G1-23.060	29/28			61G16-5.003	21/43	21/50	
61G1-26.001	29/35			61G17-1.006	21/6		
61G1-26.002	29/35			61G17-1.010	29/4		
61G2-2.0035	30/2		30/13	61G17-2.0015	30/2		30/11
61G2-3.002	30/6		30/13w	61G17-2.006	29/39		
61G2-3.003	30/6			61G17-9.007	29/39		
61G2-3.005	21/33			61G18-16.002	26/29		
61G2-3.0055	23/38	24/6		61G18-16.003	26/29		
61G2-4.001	21/29			61G18-16.0035	26/29		
61G3-16.001	29/36	30/11		61G19-7.0010	26/41		
61G3-16.0010	29/36			61H1-20.0053	26/28		
61G3-16.006	29/36	30/11		61H1-54.002	21/29		
61G3-16.007	29/36			61J1-2.005	28/41	28/43	
61G3-16.0091	27/11				29/44		
61G3-20.002	29/52		30/7	61J1-2.007	29/44		30/7
61G3-20.009	27/11			61J1-3.001	28/41	28/43	
61G3-21.001	29/45		30/13		29/44	30/11	
61G3-21.014	29/45	30/10		61J1-3.002	28/41	28/43	
61G3-30.001	28/2			61J1-4.001	29/44	30/11	
61G4-15.001	30/6			61J1-4.002		28/7	30/7
61G4-15.002	27/23				29/44		30/7
61G4-15.0021	29/49			61J1-4.003	29/44	30/11	
61G4-15.005	30/6	30/8		61J1-4.005	28/41	28/43	
61G4-17.001	19/29				29/44		
61G5-24.002	30/6		30/13	61J1-4.007	29/44		30/7
61G5-30.004	30/6		30/13	61J1-4.008	29/44		30/7
61G6-5.001	29/5	29/7		61J1-4.009	29/44		30/7
61G6-5.006	30/8			61J1-4.010	29/44		30/7
61G6-6.001	30/8			61J1-4.240	27/45		
61G6-10.007	29/42	29/52	30/7	61J1-5.001	29/44		30/7
61G7-10.011	26/13			61J1-6.001	29/44	30/11	
61G8-21.003	30/12			61J1-7.001	29/44		30/7
61G8-22.002	30/10			61J1-7.004	28/41	28/43	
61G8-30.0021	30/6					28/46	30/7
61G8-30.004	30/6				29/44		30/7
61G10-11.0035	30/10			61J1-7.005	28/41	28/43	
61G10-12.001	26/24				29/44		
61G11-25.001	20/22			61J2-3.010	29/11	29/39	30/11
61G14-15.001	27/43					30/4	30/11
61G14-17.002	30/7		30/14	61J2-3.012	29/44	30/8	
61G15-20.002	30/7		30/14	61J2-3.020	29/11	29/39	
61G15-21	29/47c	29/50	30/9d			29/45	
61G15-21.0004(2)	29/46c	29/50				30/7	
61G15-21.001	29/41		30/10		30/6c		

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61J2-5.018	29/44	30/8		61K1-2.005	30/7		
61J2-5.019	29/44	30/8		61K1-2.006	30/7		
61J2-5.020	29/44			61K1-2.007	30/7		
61J2-6.006	29/44			61K1-2.008	30/7		
61J2-14.012	29/44			61K1-2.009	30/7		
61J2-17.009	29/44			61K1-2.010	30/7		
61J2-17.012	28/3	28/17		61K1-2.011	30/7		
61J8-4.022	29/10			61K1-2.012	30/7		
61K1-1.001	30/6			61K1-2.013	30/7		
61K1-1.002	30/6			61K1-2.016	30/7		
61K1-1.0023	30/6			61K1-2.017	30/7		
61K1-1.0024	30/6			61K1-2.018	30/7		
61K1-1.0025	30/6			61K1-2.019	30/7		
61K1-1.0026	30/6			61K1-2.023	30/7		
61K1-1.0027	30/6			61K1-2.024	30/7		
61K1-1.0028	30/6			61K1-2.030	30/7		
61K1-1.003	30/6			61K1-2.035	30/7		
61K1-1.0035	30/6			61K1-2.037	30/7		
61K1-1.004	30/6			61K1-2.040	30/7		
61K1-1.0043	30/6			61K1-2.042	30/7		
61K1-1.005	30/6			61K1-2.050	30/7		
61K1-1.0055	30/6			61K1-2.070	30/7		
61K1-1.006	30/6			61K1-2.080	30/7		
61K1-1.007	30/6						
61K1-1.008	30/6						
61K1-1.009	30/6						
61K1-1.010	30/6			62-1	30/9c		30/11d
61K1-1.011	30/6				30/10c		30/11dw
61K1-1.012	30/6			62-4.050	20/21	21/22	
61K1-1.013	30/6			62-17.151	24/45	24/45	
61K1-1.016	30/6			62-17.161	24/45	24/45	
61K1-1.017	30/6			62-33.0051	27/11		
61K1-1.018	30/6			62-40	29/7c		
61K1-1.019	30/6				29/9c		
61K1-1.023	30/6				29/13c		
61K1-1.024	30/6				29/13c		
61K1-1.030	30/6				29/13c		
61K1-1.035	30/6				29/13c		
61K1-1.037	30/6			62-40.110	28/51		
61K1-1.040	30/6			62-40.120	28/51		
61K1-1.042	30/6			62-40.210	28/51		
61K1-1.050	30/6			62-40.310	28/51		
61K1-1.070	30/6			62-40.410	28/51		
61K1-1.080	30/6			62-40.411	28/51		
61K1-2.001	30/7			62-40.412	28/51		
61K1-2.002	30/7			62-40.416	28/51		
61K1-2.0023	30/7			62-40.422	28/51		
61K1-2.0024	30/7			62-40.425	28/51		
61K1-2.0025	30/7			62-40.430	28/51		
61K1-2.0026	30/7			62-40.431	28/51		
61K1-2.0027	30/7			62-40.432	28/51		
61K1-2.0028	30/7			62-40.450	28/51		
61K1-2.003	30/7			62-40.458	28/51		
61K1-2.0035	30/7			62-40.470	28/51		
61K1-2.004	30/7			62-40.473	28/51		

ENVIRONMENTAL PROTECTION

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62-40.475	28/51			62-712.440	21/34		
62-40.510	28/51			62-712.450	21/34		
62-40.520	28/51			62-712.460	21/34		
62-40.531	28/51			62-712.500	21/34		
62-40.540	28/51			62-712.800	21/34		
62-40.610	28/51			62-712.810	21/34		
62-204.800	30/6		30/14	62-712.900	21/34		
62-210.990	20/36			62-730.050	23/7		
62-213.430	20/52	21/7		62-730.220	28/24		
62-296.401	22/32	22/38		62-761.891	24/14		
62-302.530	29/12			62-771.300	21/52		
	29/35c			62-775.500	21/52	22/15	
	29/35c			62-788.400	25/5		
62-302.540	27/52			62B-2	28/8		
	29/12			62D-2.014	21/52	22/13	
	29/35c			62N-3.002	21/43		
	29/35c			62N-36.004	21/43		
	29/35c			62R-7.002	21/17		
62-304.300	30/6c			62R-7.010	23/34		
62-304.510	29/25			62R-7.020	21/17		
62-304.700	29/43c			62R-7.022	21/17		
62-312.122	24/18			62R-7.025	21/17		
62-330.2001	26/9			62R-7.026	21/17		
62-341.602	21/22	21/22		62R-7.028	21/17		
62-343.010	21/22				22/47		
62-343.020	21/22			62R-7.032	21/17		
62-343.030	21/22						
62-343.040	21/22						
62-343.050	21/22						
62-343.060	21/22			63F-8.001	30/5		
62-343.070	21/22			63F-8.002	30/5		
62-343.080	21/22			63F-8.003	30/5		
62-343.090	21/22						
62-343.100	21/22						
62-343.110	21/22						
62-343.120	21/22			64-2.001	30/11		
62-343.130	21/22			64-2.002	30/11		
62-343.140	21/22			64B-1.009	25/39	26/1	
62-343.900	21/22			64B-4.003	30/11		
62-524.400	20/45			64B-5.001	29/51		
62-550.310	20/47				30/9c		
62-550.730	20/19			64B-5.002	29/51		
62-561.100	24/52				30/9c		
62-610.814	24/52			64B-21.0015	27/39		
62-621.200	21/52			64B-21.004	27/39		
62-624.810		29/12		64B-21.006	27/39		
62-701	22/42c			64B1-2.008	30/14		
62-707.500	22/30			64B1-2.009	30/4		30/12
62-712.100	21/34			64B1-2.0095	30/4		30/12
62-712.200	21/34			64B1-3.004	30/14		
62-712.300	21/34			64B1-4.001	30/6		
62-712.400	21/34				30/14		
62-712.410	21/34			64B1-6.011	30/4		
62-712.420	21/34			64B1-7.0015	30/13		
				64B1-9.001	30/14		

JUVENILE JUSTICE

HEALTH

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64B1-9.002	30/14			64B8-1.007	29/48	30/10	
64B1-9.003	30/14			64B8-2.001	30/8		
64B1-31.001	27/51	28/6		64B8-4.009	30/12		
64B2-16.003	30/14				30/13		
64B3-2.001	23/51			64B8-4.009(10)	30/6c		30/10d
64B3-2.002	22/34	24/49		64B8-5.001	29/26	29/52	
64B3-2.003	22/34	24/49		64B8-9.003(2)	29/43c		
64B3-3.004	23/51			64B8-9.007	29/52		30/7
64B3-4.001	29/51	30/7	30/13	64B8-9.014	29/50c		
64B3-5.001	30/10			64B8-13.0045	27/48	28/16	
64B3-5.002	30/9			64B8-13.005	30/8		
64B3-5.003	30/9				30/13		
64B3-5.004	30/9			64B8-30.012	29/23c		
64B3-5.007	30/9			64B8-30.014	30/11		
64B3-5.008	30/9			64B8-44.007	30/9		
64B3-6.001	27/5	27/17		64B8-51.001	29/43		30/7
64B3-7.001	30/10			64B8-52.001	30/9		
64B3-7.002	30/10			64B8-54.004	27/41		
64B3-8.002	30/1		30/8	64B8-304.700	29/43c		
64B3-8.003	30/1		30/8	64B9-3.007	25/9		
64B3-8.004	30/1		30/8	64B9-5.003	29/52		30/8
64B3-8.005	30/1		30/8	64B9-8.003	29/52		30/8
64B3-9.005	30/1		30/8	64B9-8.006	29/52		30/8
64B3-9.009	30/1		30/8	64B9-15.0086	29/52		
64B3-9.010	30/1		30/8	64B10-15.002	30/9		
64B3-9.011	30/1		30/8	64B10-15.0021	30/9		
64B3-9.012	30/1		30/8	64B11-2.007	29/50		30/7
64B3-10.005	30/10			64B11-3.005	29/50		30/7
64B3-11.001	30/1		30/8	64B11-5.001	29/50		30/13
64B3-11.003	30/1		30/8	64B11-6.001	29/50	30/7	30/13
64B3-11.004	30/1		30/8	64B12-8.020	29/52		30/11
64B3-12.002	30/1		30/8	64B12-19.002	27/11		
64B3-12.003	30/1		30/8	64B13-3.007	30/3	30/8	30/14
64B3-12.004	30/1		30/8	64B13-3.019	30/3		30/10
64B3-12.005	30/1		30/8	64B13-4.001	30/3		30/10
64B4-3.001	25/22			64B13-4.005	30/3		30/10
64B4-4.017	25/32			64B13-11.001	30/3		
64B4-4.018	25/32			64B13-11.004	30/3		
64B4-5.007	25/32			64B13-15.003	30/12		
64B4-6.0013	25/32			64B13-15.004	30/12		
64B4-6.0045	25/32			64B13-15.009	30/12		
64B5-2.0135	29/42			64B14-3.001	29/50		30/7
64B5-12.013	30/14				30/11		
64B5-12.016	30/14			64B15-6.002	29/40		30/8
64B5-15.010	27/30			64B15-6.003	29/40		30/8
64B5-16.005	29/42			64B15-6.0035	29/44	30/10	
64B5-16.006	29/42			64B15-6.0037	29/40		30/8
64B5-17.015	30/14			64B15-6.0038	29/40		30/8
64B6-1.016	28/52			64B15-6.006	30/9		
64B6-55.004	27/41			64B15-6.01051	30/11		
64B7-27.002	29/7	30/12		64B15-6.013	29/40		30/8
64B7-27.012	24/12			64B15-13.001	30/12		
64B7-28.0095	30/11			64B15-14.009	29/40	29/52	
64B7-31.001	30/11					30/10	
64B7-32.001	26/6			64B16-27.104	30/10		
64B8ER04-2			30/8	64B16-27.104(6)	29/44c		

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64B16-27.105	27/4	27/21		64E-6.022	30/4		
64B16-28.140	24/38			64E-6.023	30/4		
64B16-28.871	29/43c			64E-6.030	30/4		
	29/43c			64E-9.001	29/52		
	30/10			64E-9.002	29/52	30/14	
64B17-2.001	30/9			64E-9.003	29/52		
64B17-2.002	30/3		30/11	64E-9.004	29/52	30/14	
64B17-2.003	30/3		30/11	64E-9.005	29/52	30/14	
64B17-2.004	30/3		30/11	64E-9.006	29/52	30/14	
64B17-2.005	30/9			64E-9.007	29/52	30/14	
64B17-2.008	30/3		30/11	64E-9.007(16)(b)	30/10c		
64B17-3.005	30/3		30/11	64E-9.008	29/52	30/14	
64B17-3.006	30/9			64E-9.009	29/52	30/14	
64B17-4.005	30/3		30/11	64E-9.010	29/52		
64B17-4.006	30/9			64E-9.011	29/52		
64B17-5.002	30/9			64E-9.011(2)(g),(8)(c)	30/10c		
64B17-6.001	30/9			64E-9.013	29/52		
64B17-7.002	30/9			64E-9.015	29/52		
64B17-7.004	30/9			64E-9.017	29/52		
64B17-7.005	30/9			64E-9.018	29/52	30/14	
64B18-14.002	30/9			64FER03-4			29/51
64B18-14.010	30/9	30/14		64F-6.003	30/4	30/13	
64B18-14.011	30/9			64F-12.012	29/52	30/8	
64B19-11.001	30/9			64F-17.001	30/5		30/10
64B19-13.003	30/12			64V-1.001	30/2		30/9
64B20-2.001	30/11			64V-1.002	30/2		30/9
64B20-2.002	25/45	26/30		64V-1.003	30/2	30/9	
64B20-2.005	30/13			64V-1.0031	30/2		30/9
64B20-3.004	30/6			64V-1.0032	30/2		30/9
64B20-6.001	30/6		30/13	64V-1.0033	30/2		30/9
64B24-4.001	29/16			64V-1.004	30/2		30/9
64B24-4.002	29/16			64V-1.006	30/2		30/9
64B24-4.004	29/16			64V-1.0061	30/2		30/9
64B24-4.006	29/16			64V-1.007	30/2		30/9
64B24-4.007	29/16			64V-1.008	30/2		30/9
64B24-4.010	29/16			64V-1.0081	30/2		30/9
64B32-1.010	30/14			64V-1.0131	30/2		30/9
64B32-5.001	28/3	28/5		64V-1.014	30/2		30/9
64C-13.018	24/22			64V-1.016	30/2		30/9
64C-23.002	27/17			64V-1.018	30/2		
64C-27.001	27/17			64V-1.019	30/2		30/9
64C-27.002	27/17			64V-1.020	30/2		30/9
64E-6.001	30/4			64V-1.021	30/2		30/9
64E-6.003	30/4						
64E-6.005	30/4						
64E-6.007	25/48						
64E-6.010	30/4			65-1	30/6c		
64E-6.0101	30/4				30/9c		
64E-6.012	30/4			65A-1.205	29/21		
64E-6.013	30/4			65A-1.400	25/21c		
64E-6.014	30/4				30/3		30/14
64E-6.015	30/4			65A-1.601	28/11	28/23	
64E-6.0151	30/4					28/31	
64E-6.0181	30/4					28/41	
64E-6.021	30/4			65A-1.701	29/16		30/9w
					30/9		

CHILDREN AND FAMILY SERVICES

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65A-1.702	29/16		30/9w	67-21.017	29/52		30/12
	30/9			67-21.018	29/52		30/12
65A-1.703	29/16		30/9w	67-21.019	24/46	24/46	
	30/9				29/52		30/12
65A-1.710		29/5		67-32.009	24/28		
	29/16		30/9w	67-48.001	29/52		30/12
	30/9			67-48.002		25/50	30/12
65A-1.711	29/16		30/9w			26/2	30/12
65A-1.712	29/16		30/9w			26/52	30/12
	30/9					27/1	30/12
65A-1.713	29/16		30/9w			29/8	30/12
	30/9				29/52	30/6	30/12
65A-1.714	29/16		30/9w	67-48.004	29/52	30/6	30/12
65A-1.720	30/7			67-48.005	29/52	30/6	30/12
65A-4.213	25/32			67-48.006	29/52		30/12
65A-4.216	25/32			67-48.007	29/52		30/12
65A-15.0095	26/4			67-48.009	29/52		30/12
65C-21.001	23/20			67-48.0095	29/52		30/12
	30/1			67-48.010	29/52	30/6	30/12
65C-21.003	30/1			67-48.0105	29/52		30/12
65C-22.007	29/9			67-48.012	29/52		30/12
65E-2.003	26/20	26/28		67-48.013	29/52		30/12
				67-48.014	29/52		30/12
				67-48.015	29/52	30/6	30/12
				67-48.017	29/52		30/12
				67-48.018	29/52		30/12
				67-48.019	29/52		30/12
				67-48.020	29/52		30/12
				67-48.0205	29/52		30/12
				67-48.021	29/52		30/12
				67-48.022	29/52		30/12
				67-48.023	29/52		30/12
				67-48.025	29/52		30/12
				67-48.026	29/52		30/12
				67-48.027	29/52		30/12
				67-48.028		26/52	30/12
					29/52		30/12
				67-48.029	29/52		30/12
				67-48.030	29/52		30/12
				67-48.031	29/52		30/12
NAVIGATION DISTRICTS							
66B-1.003	29/47		30/9				
66B-1.004	29/47		30/9				
66B-1.005	29/47		30/9				
66B-1.008	29/47		30/9				
66B-2.003	29/47		30/9				
66B-2.004	29/47		30/9				
66B-2.005	29/47		30/9				
66B-2.008	29/47		30/9				
FLORIDA HOUSING FINANCE CORPORATION							
67-4.032	29/9	29/45					
67-18.005	28/42						
67-21.002	29/52	30/6	30/12	67-48.029	29/52		30/12
67-21.003		25/39	30/12	67-48.030	29/52		30/12
	29/52	30/6	30/12	67-48.031	29/52		30/12
67-21.0035	29/52	30/6	30/12	FISH AND WILDLIFE CONSERVATION COMMISSION			
67-21.004	29/52		30/12	68A-1.004	30/1		30/14
67-21.0041	29/52		30/12	68A-2.015	30/1		30/14
67-21.0045	29/52		30/12	68A-4.001	30/1		30/14
67-21.005	29/52		30/12	68A-4.0052	30/1		30/14
67-21.006	29/52		30/12	68A-5.005	30/1		30/14
67-21.007	29/52		30/12	68A-9.004	30/11		
67-21.008	29/52		30/12	68A-9.008	30/11		
67-21.009	29/52		30/12	68A-13.003	30/1		30/14
67-21.010	29/52		30/12	68A-13.008	30/1		30/14
67-21.011	29/52		30/12	68A-15.004	30/1		30/14
67-21.012	29/52		30/12	68A-15.005	30/1		30/14
67-21.013	29/52		30/12		30/11		
67-21.014	29/52		30/12	68A-15.006	30/11		
67-21.015	29/52		30/12				
67-21.016	29/52		30/12				

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68A-15.061	30/1	30/12		FINANCIAL SERVICES			
68A-15.062	30/1	30/12					
68A-15.063	30/1	30/12		69-211.042	30/10c		
	30/11			69A-21.115	29/37	29/46	30/10
68A-15.064	30/1	30/12				29/49	30/10
68A-15.065	30/1	30/12				30/4	30/10
68A-17.005	30/1	30/12		69A-62.0001	29/44	29/46	
68A-23.005	30/1			69A-62.001	29/44	29/46	
68A-24.003	28/17			69A-62.002	29/44	29/46	
68A-24.004	28/17			69A-62.003	29/44	29/46	
68A-24.0055	30/1			69A-62.006	29/44	29/46	
68A-24.006	28/17			69A-62.007	29/44	29/46	
	30/1			69A-62.020	29/44	29/46	
68A-24.009	30/1			69A-62.021	29/44	29/46	
68B-4.002	30/11			69A-62.022	29/44	29/46	
68B-4.018	30/11			69A-62.023	29/44	29/46	
68B-8.001	30/1		30/13	69A-62.030	29/44	29/46	
68B-8.002	30/1	30/9	30/13	69A-62.031	29/44	29/46	
68B-8.003	30/1	30/9	30/13	69A-62.032	29/44	29/46	
68B-8.004	30/1		30/13	69A-62.033	29/44	29/46	
68B-8.005	30/1		30/13	69A-62.034	29/44	29/46	
68B-8.006	30/1		30/13	69A-62.035	29/44	29/46	
68B-8.007	30/1		30/13	69A-62.036	29/44	29/46	
68B-8.008	30/1		30/13	69A-62.040	29/44	29/46	
68B-8.009	30/1	30/9	30/13	69A-62.041	29/44	29/46	
68B-8.010	30/1	30/9	30/13	69A-62.042	29/44	29/46	
68B-8.011	30/1	30/9	30/13	69A-62.043	29/44	29/46	
68B-8.012	30/1	30/9	30/13	69A-62.044	29/44	29/46	
68B-8.013	30/1	30/9	30/13	69A-62.045	29/44	29/46	
68B-8.014	30/1		30/13	69B-211.042	30/7	30/13	
68B-8.015	30/1		30/13	69L-6.008	29/52		30/10
68B-8.016	30/1		30/13	69L-6.012	29/42	30/8	
68B-13.008	27/31	26/13		69L-6.014	29/52		30/10
68B-22.002	30/1		30/11	69L-6.021	29/42		
68B-22.005	30/1		30/11	69L-6.024	30/7		
68B-22.007	30/1	30/8	30/11	69L-7.602	30/12		
68B-24.002	30/1		30/11	69L-26.002	30/9		
68B-24.0055		29/24	30/11	69L-26.004	30/9		
	30/1	30/8	30/11	69M-1	29/52c		
68B-24.006	30/1	30/8	30/11	69O-149.002	30/3		
68B-24.009	30/1		30/11	69O-149.0025	30/3	30/8	
68B-32.002	30/1		30/13	69O-149.003	30/3	30/8	
68B-32.004	30/1		30/13	69O-149.004	30/3		
68B-32.005	30/1	30/2	30/13	69O-149.005	30/3		
		30/9	30/13	69O-149.006	30/3		
	30/11			69O-149.007	30/3		

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69O-149.021	30/3	30/8		69O-154.201	29/37	30/3	30/9
69O-149.023	30/3			69O-154.202		30/3	30/9
69O-149.037	30/3	30/8		69O-154.203	29/37	30/3	30/9
69O-149.038	30/3			69O-154.204	29/37	30/3	30/9
69O-149.044	30/3			69O-154.210	29/37	30/3	30/9
69O-149.051	30/3			69O-166.045	30/1	30/3	
69O-149.052	30/3			69O-170.013	30/14		
69O-149.053	30/3			69O-176.013	29/36	30/3	30/10
69O-149.054	30/3					30/4	30/10
69O-149.203	29/52	30/3		69O-200.007	29/44	30/3	30/9
69O-149.204	29/52	30/3					
69O-149.205	29/52	30/3					
69O-149.206	29/52	30/3					
69O-149.207	29/52	30/3					
