

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE: Manufactured Buildings
RULE CHAPTER NO.: 9B-1

RULE TITLE: Schedule of Fees
RULE NO.: 9B-1.020

PURPOSE AND EFFECT: To reduce fees to reflect budgetary requirements.

SUBJECT AREA TO BE ADDRESSED: Schedule of Fees – Rule 9B-1.020, Fla. Admin. Code.

SPECIFIC AUTHORITY: 553.37(1) FS.

LAW IMPLEMENTED: 553.37(7) FS.

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

TIME AND DATE: 10:00 a.m., May 10, 2004

PLACE: Department of Community Affairs, Randall Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

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)955-9771 (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:

9B-1.020 Schedule of Fees.

The Department shall charge the following fees for the indicated items:

(1) through (5) No change.

(6) Insignia Fees:

(a) Factory-built school used in the public school system insignia fee is \$20.00 \$30.00 for each building.

(b) No change.

(c) Manufactured buildings that are less than 720 square feet in area as installed, and are not approved for use for human habitation such as storage sheds and lawn storage buildings: \$7.00 \$10.00 per building.

(d) Manufactured buildings and components not otherwise provided above: \$55.00 \$60.00 per module.

(7) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.37(7) FS. History—New 1-17-72, Amended 2-1-72, 2-23-75, 12-8-75, 3-20-79, 3-1-80, 9-29-82, 11-1-84, Formerly 9B-1.20, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01.

DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE CHAPTER TITLE: Crime Information Bureau; Criminal
RULE CHAPTER NO.: 11C-4

History Records; Fingerprinting and Reports
RULE NO.: 11C-4.009

RULE TITLE: Uniform Arrest Affidavits and Reports

PURPOSE AND EFFECT: Development and adoption of the above rule is required by statute. The rule provides for a uniform affidavit and report and incorporates those forms by reference.

SUBJECT AREA TO BE ADDRESSED: Forms for use by law enforcement agencies when making arrests for a violation of Section 316.193, F.S.

SPECIFIC AUTHORITY: 943.05(2)(d) FS.

LAW IMPLEMENTED: 316.193, 943.05(2) FS.

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

IF REQUESTED IN WRITING BY APRIL 23, 2004, 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: Rafael E. Madrigal, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

11C-4.009 Uniform Arrest Affidavits and Reports.

(1) A Uniform Probable Cause Affidavit, FDLE Form PCA 1 – March 2004, is adopted for use by all law enforcement agencies in the State of Florida when making DUI arrests pursuant to Section 316.193, Florida Statutes.

(2) A Uniform Alcohol Influence Report, FDLE Form AIR 1 – March 2004, is adopted for use by all law enforcement agencies in the State of Florida when making DUI arrests pursuant to Section 316.193, Florida Statutes.

(3) This rule shall not preclude the use of other probable cause affidavits or alcohol influence reports, and law enforcement agencies are authorized to supplement the Uniform Probable Cause Affidavit or the Uniform Alcohol Influence Report with additional affidavits and reports.

(4) Failure to use the Uniform Probable Cause Affidavit or the Uniform Alcohol Influence Report shall not prohibit prosecution of a person arrested for a violation of Section 316.193, Florida Statutes, and shall have no effect on the legality or validity of such arrest.

(5) The above referenced forms may be obtained by contacting the Florida Department of Law Enforcement, Alcohol Testing Program, P. O. Box 1489, Tallahassee, Florida 32302.

Specific Authority 943.05(2)(d) FS. Law Implemented 316.193, 943.05(2) FS. History--New _____.

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."

FLORIDA PAROLE COMMISSION

RULE TITLE: Definitions – Satisfactory Release Plan
RULE NO.: 23-21.002

PURPOSE AND EFFECT: The purpose of the proposed amendment to the rule is to modify the definition of what constitutes a satisfactory release plan for consideration for parole release. The effect of the amendment will be to enhance the protection of the public and to facilitate the successful supervision of prison inmates released to parole supervision.

SUBJECT AREA TO BE ADDRESSED: Correction of deficiencies in the rule by providing more definite criteria for what constitutes a satisfactory parole release plan.

SPECIFIC AUTHORITY: 947.07, 947.174(5)(b) FS.

LAW IMPLEMENTED: 947.1745(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kim Fluharty, General Counsel, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

23-21.002 Definitions – Satisfactory Release Plan.

(1) through (44) No change.

(45) Satisfactory Release Plan means a release plan that meets all of the following requirements ~~which shows:~~

(a) A residence confirmed by field investigation to be sufficient to meet the living needs of the individual seeking parole, or sufficient financial resources or assistance to secure adequate living accommodations with the approval of the parole supervisor; ~~and~~

(b) Self-sustaining employment or financial support sufficient to preclude the parolee from becoming a public charge which has been confirmed by field investigation; ~~and~~

(c) Both (a) and (b) available in a community that does not represent individual, collective, or official resentment or hostility to an extent that it impairs the opportunity for lawful and peaceful existence of the parolee or any individual within that community.

(d) If the individual seeking parole is a convicted sexual offender, the proposed residence and employment must not pose an undue risk to children under the age of eighteen.

(e) The occupants of the proposed residence must not pose an undue risk to the inmate's ability to reintegrate into society.

(f) The proposed residence must not contain any firearms.

Specific Authority 947.07, 947.174(5)(b) FS. Law Implemented 947.1745 FS. History--New 9-10-81, Amended 10-1-82, 8-1-83, 7-1-84, Formerly 23-21.02, Amended 7-9-87, 1-29-93, 1-5-94, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Procedural
RULE CHAPTER NO.: 40D-1

RULE TITLE: Basins
RULE NO.: 40D-1.107

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to remove 10 courses erroneously included in the existing legal description found within Rule 40D-1.107, F.A.C.

SUBJECT AREA TO BE ADDRESSED: In November 2003 the Governing Board approved rulemaking to amend the legal descriptions of the District's basin boundaries within Rule 40D-1.107, F.A.C. The final rule was submitted to the Department of State and the amendments became effective March 11, 2004. Upon review of the final (new) rule it was determined that there are 10 courses included from the previous legal description that should be deleted because they are unnecessary as the legal descriptions are written. These courses must now be removed.

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

LAW IMPLEMENTED: 373.0691, 373.0693 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 District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen A. Lloyd, Senior Attorney, 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-1.107 Basins.

Pursuant to Section 5 of Chapter 61-691, Laws of Florida, the area of the District is divided into watershed basins to include each major stream and its tributary streams and all lands draining therein except the area known as the Green Swamp Watershed Basin.

(1) through (9) No change.

(10) The area of the Peace River Basin is located in parts of Polk, Hardee, Highlands, DeSoto and Charlotte Counties.

(a) That portion of the Peace River Basin located within Polk County is described as follows:

Begin at southwest corner of Section 31, Township 32 South, Range 23 East;

Thence north along the Polk-Hillsborough County line to northwest corner of Section 18, Township 32 South, Range 23 East;

Thence east to northeast corner of Section 18, Township 32 South, Range 23 East;

Thence north to northwest corner of Section 8, Township 32 South, Range 23 East;

Thence east along the sections to the southeast corner of Section 4, Township 32 South, Range 23 East;

Thence north to the northwest corner of Section 3, Township 32 South, Range 23 East;

Thence east along the township line between Townships 31 and 32 South to the southeast corner of Section 34, Township 31 South, Range 23 East;

Thence north to the northwest corner of Section 35, Township 31 South, Range 23 East;

Thence east along the sections to the northeast corner of Section 36, Township 31 South, Range 23 East;

Thence south along the range line between Ranges 23 and 24 East to the southeast corner of Section 36, Township 31 South, Range 23 East;

Thence east along the township line between Townships 31 and 32 South to the southeast corner of Section 34, Township 31 South, Range 24 East;

Thence north along the sections to the northeast corner of Section 34, Township 30 South, Range 24 East;

Thence west to the northwest corner of Section 34, Township 30 South, Range 24 East;

Thence north along the sections to the northeast corner of Section 4, Township 30 South, Range 24 East;

Thence west along the township line between Townships 29 and 30 South to the southeast corner of Section 32, Township 29 South, Range 24 East;

Thence north along the sections to the northeast corner of Section 29, Township 29 South, Range 24 East;

Thence west to the northwest corner of Section 29, Township 29 South, Range 24 East;

Thence north to the northeast corner of Section 19, Township 29 South, Range 24 East;

Thence east to the southeast corner of Section 17, Township 29 South, Range 24 East;

Thence north to the northeast corner of Section 17, Township 29 South, Range 24 East;

Thence west to the northwest corner of Section 17, Township 29 South, Range 24 East;

Thence north to the northeast corner of Section 7, Township 29 South, Range 24 East;

Thence west to the northwest corner of Section 7, Township 29 South, Range 24 East;

Thence north along the range line between Ranges 23 and 24 East to the northeast corner of Section 13, Township 28 South, Range 23 East;

Thence west to the northwest corner of Section 13, Township 28 South, Range 23 East;

Thence north along the sections to the northwest corner of Section 24, Township 27 South, Range 23 East;

Thence east along the sections to the northeast corner of Section 19, Township 27 South, Range 24 East;

Thence south to the southeast corner of Section 19, Township 27 South, Range 24 East;

Thence east along the sections to the southwest corner of Section 20, Township 27 South, Range 25 East;

Thence north to the northwest corner of Section 20, Township 27 South, Range 25 East;

Thence east to the northeast corner of Section 20, Township 27 South, Range 25 East;

Thence south to the southeast corner of Section 20, Township 27 South, Range 25 East;

Thence east along the sections to the northeast corner of Section 27, Township 27 South, Range 25 East;

Thence south along the sections to the southeast corner of Section 34, Township 27 South, Range 25 East;

Thence east along the township line between Townships 27 and 28 South to the southwest corner of Section 31, Township 27 South, Range 26 East;

Thence north along the range line between Ranges 25 and 26 East to the northwest corner of Section 30, Township 27 South, Range 26 East;

Thence east to the northeast corner of Section 30, Township 27 South, Range 26 East;

Thence north along the sections to the northwest corner of Section 17, Township 27 South, Range 26 East;

Thence east to the northeast corner of Section 17, Township 27 South, Range 26 East;

Thence south to the southeast corner of Section 17, Township 27 South, Range 26 East;

Thence east to the northeast corner of Section 21, Township 27 South, Range 26 East;

Thence south along the sections to the southwest corner of Section 27, Township 27 South, Range 26 East;

Thence east to the southeast corner of Section 27, Township 27 South, Range 26 East;

Thence north to the northeast corner of Section 27, Township 27 South, Range 26 East;

Thence east along the sections to the northeast corner of Section 29, Township 27 South, Range 27 East;

Thence north to the northwest corner of Section 4, Township 27 South, Range 27 East, and the township line;

Thence west to the southwest corner of Section 32, Township 26 South, Range 27 East;

Thence north to the southeast corner of Section 18, Township 26 South, Range 27 East;

Thence west to the southwest corner of Section 18, Township 26 South, Range 27 East, and the range line;

Thence north along the range line between Ranges 26 and 27 East, to the northwest corner of Section 6, Township 26 South, Range 27 East and the Polk-Osceola County line.

Thence east along the Polk-Osceola County line to the northeast corner of Section 1, Township 26 South, Range 27 East;

Thence south along the range line between Ranges 27 and 28 East to the northerly margin of Lake Marion;

Thence southerly, along the westerly margin of Lake Marion, to its intersection with the range line between Ranges 27 and 28 East;

Thence southerly, along said range line, to the south boundary of Township 27 South;

Thence easterly, along said township line, to the intersection of said township line with Lake Marion;

Thence following the south shore line of Lake Marion to its intersection again with said township line;

Thence east, along said township line, to the northwest corner of Section 5, Township 28 South, Range 28 East;

Thence south along the section line to the southwest corner of Section 8, Township 28 South, Range 28 East;

Thence east along the section line to the northwest corner of Section 16, Township 28 South, Range 28 East;

Thence south along the section line to the southwest corner of Section 16, Township 28 South, Range 28 East;

Thence east along the section line to the northwest corner of Section 23, Township 28 South, Range 28 East;

Thence south along the section line to the northeast corner of Section 3, Township 29 South, Range 28 East;

Thence west along the section line to the northwest corner of Section 3, Township 29 South, Range 28 East;

Thence north along the section line to the northeast corner of the SE 1/4 of Section 28, Township 28 South, Range 28 East;

Thence west along the north boundary of the SE ¼ to the intersection with the shore line of Lake Pierce;

Thence follow the shore line generally southwesterly to its intersection with the north boundary of the S 1/2 of the SW 1/4 of said Section 28;

Thence west along said north boundary to the northwest corner of the S 1/2 of the SW 1/4 of said Section 28;

Thence south along the section line to the southwest corner of Section 33, Township 28 South, Range 28 East;

Thence west along the section line to the northwest corner of Section 5, Township 29 South, Range 28 East;

Thence south along the section line to its intersection with the west shoreline of Lake Pierce;

Thence following the west shore line of Lake Pierce to its intersection with the west boundary of Section 8, Township 29 South, Range 28 East;

Thence south along the section line to the northwest corner of Section 20, Township 29 South, Range 28 East;

Thence east along the north boundaries of Sections 20, 21, 22, 23 and 24, Township 29 South, Range 28 East, and Section 19, Township 29 South, Range 29 East, and to the northeast corner of said Section 19;

Thence south along the section line to the southwest corner of Section 32, Township 29 South, Range 29 East;

Thence east along the section line to the northeast corner of the NW 1/4 of Section 5, Township 30 South, Range 29 East;

Thence south to the southeast corner of the SW 1/4 of Section 8, Township 30 South, Range 29 East;

Thence west along the section line to the northwest corner of Section 17, Township 30 South, Range 29 East;

Thence south along the section line to the northeast corner of Section 7, Township 31 South, Range 29 East;

~~Thence south along the range line to the southeast corner of Section 1, Township, 39 South, Range 29 East;~~

~~Thence east along the section line to the northwest corner of Section 11, Township 39 South, Range 30 East;~~

~~Thence north along the section line to the southwest corner of Section 35, Township 38 South, Range 30 East;~~

uses, a St. Johns County-owned park site, and a parcel owned by the Florida Inland Navigation District. All the land within the proposed District is subject to the existing Nocatee Development of Regional Impact (DRI) Development Order. The development plan for the lands within the proposed District includes the construction of approximately 8,811 single family units and 3,228 multi-family units, 540 assisted living units, 485 hotel rooms, 2,872,000 square feet of office space, 968,000 square feet of retail space and 250,000 square feet of light industrial space. The Petitioner either owns or has written consent to establish the District from the owners of one hundred percent (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 including on and off-site road improvements approved or required by the Nocatee DRI, wetland mitigation, stormwater facilities, and recreation improvements.

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

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 9:00 a.m., Thursday, May 6, 2004

PLACE: Room 2103, The Capitol, Tallahassee, Florida

REQUESTS FOR A RULE DEVELOPMENT WORKSHOP MUST BE SUBMITTED IN WRITING BY MAY 3, 2004.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cheryl G. Stuart, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500; Barbara Leighty, Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

LAND AND WATER ADJUDICATORY COMMISSION

Split Pine Community Development District

RULE CHAPTER TITLE: Split Pine Community Development District

RULE CHAPTER NO.: 42TT-1

RULE TITLES: Establishment

RULE NOS.: 42TT-1.001

Boundary

42TT-1.002

Supervisors

42TT-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district ("CDD"), the Split Pine Community Development District ("District"), pursuant to Chapter 190, F.S. The petition filed by SONOC Company, LLC, requests the Commission establish a community development district located within the jurisdiction of the City of Jacksonville, in Duval County, Florida. A Notice of Receipt of Petition for the Split Pine Community Development District was published in the February 6, 2004, edition of the Florida Administrative Weekly. The land area proposed to be served by the District comprises approximately 2,015 acres. The proposed District is generally bounded by agricultural uses. The lands within the proposed District are largely undeveloped. There are no out-parcels located within the external boundaries of the proposed District which are to be excluded from the District. The development plan for the lands within the proposed District includes the construction of approximately 1,268 single family units and 893 multi-family units, 180 assisted living units, 225 hotel rooms, 1,336,000 square feet of office space and 32,000 square feet of retail space. The Petitioner either owns or has written consent to establish the District from the owners of one hundred percent (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 including roads, wetland mitigation, stormwater facilities, and recreation improvements.

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

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

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

TIME AND DATE: 10:30 a.m., Thursday, May 6, 2004

PLACE: Room 2103, The Capitol, Tallahassee, Florida

REQUESTS FOR A RULE DEVELOPMENT WORKSHOP MUST BE SUBMITTED IN WRITING BY MAY 3, 2004.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cheryl G. Stuart, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500; Barbara Leighty, Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Exemptions of Spouse of Member of
Armed Forces from License
Renewal Requirements

RULE NO.: 64B13-5.003

PURPOSE AND EFFECT: The Board proposes to exempt spouses of members of the Armed Forces from licensure renewal provisions.

SUBJECT AREA TO BE ADDRESSED: Exemptions of Spouse of Member of Armed Forces from License Renewal Requirements.

SPECIFIC AUTHORITY: 456.024, 463.005 FS.

LAW IMPLEMENTED: 456.024, 463.005 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-5.003 Exemption of Spouse of Member of Armed Forces from License Renewal Requirements.

A licensee who is the spouse of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse's duties with the armed forces and who at the time the absence became necessary was in good standing with the Board of Optometry and entitled to practice optometry in Florida shall be exempt from all licensure renewal provisions. The licensee must document the absence and the spouse's military status to the Board.

Specific Authority 456.024, 463.005 FS. Law Implemented 456.024, 463.005 FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Fees

RULE NO.: 64B13-6.001

PURPOSE AND EFFECT: The Board proposes an amendment to the rule that a licensee shall pay a change of status fee of \$300 when the licensee applies for a change in licensure status at any time other than during licensure renewal.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 456.013(2), 456.025(7), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-6.001 Fees.

The following fees are prescribed by the Board:

(1) through (5) No change.

(6) The fee to be paid for biennial renewal of an initial Branch Office License shall be one hundred dollars (\$ 100). The fee for renewal of additional Branch ~~Branch~~ Office Licenses shall be twenty-five dollars (\$ 25) each.

(7) A licensee shall pay a change of status fee of \$300 when the licensee applies for a change in license status at any other time than during licensure renewal. ~~The fee to be paid to place a license in inactive status shall be \$ 300.00.~~

(8) through (16) No change.

Specific Authority 456.013(2), 456.025(7), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS. Law Implemented 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS. History--New 12-13-79, Amended 2-14-82, 8-18-82, 12-2-82, 5-6-84, 7-29-85, Formerly 21Q-6.01, Amended 11-20-86, 7-21-88, 2-5-90, 5-29-90, 7-10-91, 4-14-92, 7-1-93, Formerly 21Q-6.001, Amended 1-24-94, Formerly 61F8-6.001, Amended 12-22-94, 2-13-95, 4-5-95, 5-29-95, 12-31-95, Formerly 59V-6.001, Amended 12-24-97, 3-21-00, 11-18-01, 5-9-02, 9-10-02, 7-3-03, 10-30-03, _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Formulary of Topical Ocular
Pharmaceutical Agents

RULE NO.: 64B13-18.002

PURPOSE AND EFFECT: The Board proposes an amendment to the rule in order to update the formulary list and notify licensees that the topical ocular pharmaceutical formulary list is located at the Board office and on the website.

SUBJECT AREA TO BE ADDRESSED: Formulary list for Topical Ocular Pharmaceutical Agents.

SPECIFIC AUTHORITY 463.0055(2)(a) FS.
 LAW IMPLEMENTED: 463.0055 FS.
 IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The topical ocular pharmaceutical formulary consists of pharmaceutical agents which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), Florida Statutes. The formulary list shall be maintained at the Board office and available on the website. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination:

- (1) CYCLOPLEGIC AND MYDRIATICS ~~any except~~
 - (a) ~~Atropine sulfate in concentrations greater than 1%,~~
 - (b) ~~Phenylephrine HCL in concentrations greater than 2.5%, and~~
 - (c) ~~Cyclopentolate HCL in concentrations greater than 2%.~~
- (2) LOCAL ANESTHETICS ~~any.~~
- (3) DIAGNOSTIC PRODUCTS ~~any.~~
- (4) ~~OPHTHALMIC DECONGESTANTS/ ANTIHISTAMINE COMBINATIONS any.~~
- (4)(5) ANTIBACTERIAL ~~any except chloramphenicol.~~
- (5)(6) NON-STEROIDAL AND STEROIDAL ANTI-INFLAMMATORY AGENTS ~~any.~~
- (6)(7) ANTIHISTAMINES, MAST CELL STABILIZERS AND ANTI-ALLERGY AGENTS ~~any.~~
- (7)(8) ANTIVIRAL AGENTS ~~any.~~
- (8)(9) ANTI-GLAUCOMA AGENTS ~~any except cholinesterase inhibitors.~~
- (9)(10) MISCELLANEOUS ~~any other topical ocular legend agent not otherwise classified above, except for agents classified as antifungal.~~

Specific Authority 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History—New 3-30-87, Amended 4-5-88,5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Family-Related Medicaid General

RULE NO.:

Eligibility Criteria 65A-1.705

PURPOSE AND EFFECT: The proposed rule amendment clarifies the department's eligibility processing and referral procedures for the Florida KidCare program and updates forms used by the program.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will clarify the eligibility and referral process for the Florida KidCare program. The proposed rule amendment provides for the use of an electronic application form and updates the edition of a manual form used by the Florida KidCare program.
 SPECIFIC AUTHORITY: 409.918, 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.918, 409.919 FS.

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

TIME AND DATE: 1:00 p.m. – 2:00 p.m., May 3, 2004

PLACE: Building 3, Room 439, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robi Olmstead, Government Operations Consultant II, 1317 Winewood Boulevard, Building 3, Room 449, Tallahassee, FL 32399-0700, (850)414-2908

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: SSI-Related Medicaid Resource

RULE NO.:

Eligibility Criteria 65A-1.712

PURPOSE AND EFFECT: This proposed rule amendment aligns State policy with the federal policy for consideration of mortgages, loans, and promissory notes in determination of Medicaid eligibility effective July 1, 2004.

SUBJECT AREA TO BE ADDRESSED: The amendment to Rule 65A-1.712, F.A.C., implements Supplemental Security Income policy for evaluation of mortgages, loans and promissory notes in determination of Medicaid eligibility for applications received on or after July 1, 2004.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.9065 FS.

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

TIME AND DATE: 9:00 a.m. – 10:00 a.m., May 3, 2004
 PLACE: Building 3, Room 439, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robi Olmstead, Government Operations Consultant II, 1317 Winewood Boulevard, Building 3, Room 449, Tallahassee, FL 32399-0700, (850)414-2908

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

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLE: Loss Ratio Standards and Refund or Credit of Premium
 RULE NO.: 690-156.011

PURPOSE AND EFFECT: The amendment mandates electronic filing of forms for refund or credit of premium.

SUBJECT AREA TO BE ADDRESSED: Mandatory electronic filing of forms for refund or credit of premium.

SPECIFIC AUTHORITY: 624.308, 627.674(2) FS.

LAW IMPLEMENTED: 624.307(1), 627.410, 627.673, 627.674, 627.6745, 627.6746 FS.

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

TIME AND DATE: 9:30 a.m., May 5, 2004
 PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Frank Dino, Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, e-mail: dinof@dfs.state.fl.us

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

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES: Filing, Approval of Subscriber Contract and Related Forms
 RULE NOS.: 690-191.051
 Rates 690-191.054

PURPOSE AND EFFECT: The amendments mandate electronic filing of forms and rates, and clarify that filings received after 5:00 p.m. shall be considered to be received the following business day.

SUBJECT AREA TO BE ADDRESSED: Mandatory electronic filing of forms and rates.

SPECIFIC AUTHORITY: 641.31, 641.36 FS.

LAW IMPLEMENTED: 641.21(1)(e), 641.22(2),(4),(6), 641.3007(4)(b),(c), 641.31(2),(3) FS.

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

TIME AND DATE: 9:30 a.m., May 5, 2004
 PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Frank Dino, Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, e-mail: dinof@dfs.state.fl.us

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

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES: Filing, Approval of Subscriber Contract and Related Forms
 RULE NOS.: 690-203.042
 Rates 690-203.045

PURPOSE AND EFFECT: The amendments mandate electronic filing of forms and rates, and clarify that filings received after 5:00 p.m. shall be considered to be received the following business day.

SUBJECT AREA TO BE ADDRESSED: Mandatory electronic filing of forms and rates.

SPECIFIC AUTHORITY: 636.067 FS.

LAW IMPLEMENTED: 636.016, 636.017, 636.018 FS.

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

TIME AND DATE: 9:30 a.m., May 5, 2004
PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Frank Dino, Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, e-mail: dinof@dfs.state.fl.us

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

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Uniform Primary and General Election Ballot
PURPOSE AND EFFECT: Amend the rule to include ballot format for additional certified voting systems, and to clarify the language.

SUMMARY: The proposed rule generally updates the text of the rule to include ballot formats for voting systems certified since the rule was adopted.

SUMMARY OF STATEMENT OF REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 101.151(8) FS.

LAW IMPLEMENTED: 101.151(8) FS.

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

TIME AND DATE: 10:00 a.m., Monday May 10, 2004
PLACE: The Collins Building, Room 102, 107 West Gaines Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sarah Jane Bradshaw, 107 West Gaines Street, Suite 100, Tallahassee, Florida 32399-0250, (850)245-6200

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing should advise the Department at least 5 calendar days before the hearing by contacting Marielba Torres at (850)245-6200.

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.032 Uniform Primary and General Election Ballot.

(1) The purpose of this rule is to prescribe a uniform primary and general election ballot design for each certified voting system.

(2) The title shall be printed across the top of an optical scan ballot and on the first ballot screen of a touchscreen ballot in all caps bold.

(a) The title of the presidential preference primary ballot shall read as follows:

OFFICIAL PRESIDENTIAL PREFERENCE PRIMARY BALLOT

PARTY

COUNTY, FLORIDA

(date)

(b) The title of the primary ballot shall read as follows:

OFFICIAL PRIMARY BALLOT

PARTY

COUNTY, FLORIDA

(date)

(c) The title of the general election ballot shall read as follows:

OFFICIAL GENERAL ELECTION BALLOT

COUNTY, FLORIDA

(date)

(d) The title of a nonpartisan ballot shall read as follows:

OFFICIAL NONPARTISAN BALLOT

COUNTY, FLORIDA

(date)

(3) Ballot instructions shall be printed directly under the title on the front side of an optical scan paper ballot. For a touchscreen ballot, the ballot instructions may appear at any point before the listing of candidates or may be prominently posted in each voting booth.

(a) For optical scan voting systems, the following shall apply:

1. The ballot instructions for those certified voting systems using ovals to be filled in next to the voter's choice, shall read as follows:

a.

• TO VOTE, COMPLETELY FILL IN THE OVAL  NEXT TO YOUR CHOICE.

• Use (insert appropriate marking device) ~~only the marking device provided or a number 2 pencil.~~

• If you make a mistake, don't hesitate to ask for a new ballot. If you erase or make other marks, your vote may not count. (For absentees, the following instruction may be used: If you make a mistake, cross through the mistake with an ✖ and fill in the oval ● next to your correct choice. If you are unable to correct your mistake, you may request another ballot.)

b. In a general election, if there are write-in candidates, add the following:

• To vote for a candidate whose name is not printed on the ballot, fill in the oval, and write in the candidate's name on the blank line provided for a write-in candidate.

2. The ballot instructions for those certified voting systems using an arrow to point to the voter's choice shall read as follows:

a.

• TO VOTE, COMPLETE THE ARROW → POINTING TO YOUR CHOICE.

• Use (insert appropriate marking device) only the marking device provided or a number 2 pencil.

• If you make a mistake, don't hesitate to ask for a new ballot. If you erase or make other marks, your vote may not count. (For absentees, the following instruction may be used: If you make a mistake, cross through the mistake with an ✖ and complete the arrow → pointing to your correct choice. If you are unable to correct your mistake, you may request another ballot.)

b. In a general election, if there are write-in candidates, add the following:

• To vote for a candidate whose name is not printed on the ballot, complete the arrow, and write in the candidate's name on the blank line provided for a write-in candidate.

(b) For certified touch screen voting systems the following shall apply:

1. For the Global ES 2001 Blended system, the instructions shall be as follows:

a.

• Make your selection by touching the screen on the candidate's name or anywhere in the candidate area or on the Yes or No position until the X appears.

• If you change your mind, touch the candidate's name or the Yes or No position again to undo the mark.

• Touch NEXT at the bottom right of the screen to move to the next ballot page.

• Touch PREVIOUS at the bottom left of the screen to move back one page.

• Touch CAST BALLOT button on the last ballot screen to record your vote.

• To begin voting, touch START. (This instruction may be modified to instruct the voter to touch NEXT, if necessary, because of the placement of the instructions.)

b. In a general election, if there are write-in candidates, add the following prior to the cast ballot instruction:

• To vote for a candidate whose name is not printed on the ballot, touch WRITE-IN and a touch keyboard will appear. Key in the candidate's name on the keyboard and then touch RECORD WRITE-IN.

2. For the ES&S iVotronic, the instructions shall be as follows:

a.

• Make your selection by touching your choice on the screen until it becomes highlighted.

• If you change your mind, touch the new choice and the highlight will appear on your new choice or if you change your mind, touch the same choice again to undo the highlight, as appropriate.

• Touch NEXT or NEXT PAGE at the bottom right of the screen to move to the next ballot page.

• Touch PREVIOUS or PREVIOUS PAGE at the bottom left of the screen to move back one page.

• Touch REVIEW or REVIEW BALLOT on the last ballot page to review your selections.

• Press the flashing red VOTE button to cast your ballot.

b. In a general election, if there are write-in candidates, add the following prior to the cast ballot instruction:

• To vote for a candidate whose name is not printed on the ballot, touch WRITE-IN and a touch keyboard will appear. Type the candidate's name and then touch ACCEPT.

3. For the Sequoia AVC Edge, the instructions shall be as follows:

• Insert your Voter Card into the bright yellow slot located at the bottom left of the voting machine. Push it all the way in until you feel it "click."

• Touch anywhere in the box that contains the name of your choice. Confirm that a green check mark appears in the circle located in the box in which your choice appears.

• You may change your vote by touching the same selection again. The candidate is unselected and all circles for that contest appear again.

• Write-in a qualified candidate, during a General Election only, by touching Write-In on the candidate list. When the on-screen keyboard appears, key in the candidate's name, then touch OK. The write-in candidate's name now appears on the list of candidates.

• Continue to the following page by touching NEXT at the bottom right of the screen. To return to the previous page, touch BACK at the bottom left of the screen.

• Review a summary of all your votes on the REVIEW page. To make a change, touch the office or issue to return to the ballot page for that race.

• Complete your voting by touching the yellow square on the final screen. Your ballot is now cast. Your voter card will eject. Return it to a poll worker.

(4) Following the instructions, the headings, office titles, and candidates shall be listed in the order provided in Section 101.151, F.S. Nonpartisan offices shall appear following the partisan offices and before constitutional amendments or other issues. Nonpartisan offices shall be preceded by the heading "Nonpartisan" and shall appear in the following order: Justice of the Supreme Court, Judge of a District Court of Appeal, Circuit Judge, County Judge, and School Board Member. Unless otherwise provided by county charter, if a county elects other county officers on a nonpartisan basis, the order of those offices shall be the same as the order in Section 101.151, F.S., for partisan offices and shall follow school board member. Nonpartisan municipal candidates shall be listed following nonpartisan county candidates, followed by nonpartisan special district candidates. Partisan municipal candidates shall be listed following the partisan county candidates, followed by partisan special district candidates. County, municipal, and special district issues shall appear following constitutional amendments.

(b) The headings and office titles shall be in all caps bold. The last name of the candidate shall be in all caps. ~~The first name shall be in~~ upper and lower case.

(5) Under each office title, including joint candidacies, heading shall be printed "(Vote for One)". For joint eandidacies, there shall be printed "(Vote for One Pair)". In races where more than one vote is permitted, there shall be printed "(Vote for no more than (enter # to be elected))".

(6) The marking space for a voter to mark a choice shall be as follows:

(a) For ~~Diebold Global~~ Accuvote, on the left of the voter's choice.

(b) For ES&S and Sequoia Optech, on the right of the voter's choice.

(c) For ES&S M-100, 150, ~~and 550, and 650~~ on the left of the voter's choice.

(d) For ~~Diebold Global~~ ES 2001 Blended, on the left of the voter's choice.

(e) For ES&S iVotronic, on the right of the voter's choice.

(f) For Sequoia AVC Edge, on the right of the voter's choice.

(7) When required, the appropriate abbreviation of a party name or no party affiliation shall be to the right of the candidate's name, in all caps. The party abbreviation shall be the abbreviation provided to the supervisors on the official certification of candidates for the election. The party abbreviation shall not be enclosed in parentheses. Party abbreviation shall not be included on primary ballots, unless there is a Universal Primary Contest on the ballot as provided in subsection (12).

(8) No race shall appear in more than one column on an optical scan ballot or on more than one screen of a touchscreen ballot.

(9) On optical scan ballots, when races and/or questions are printed on both sides of the ballot, the words "VOTE BOTH SIDES OF BALLOT" shall be printed on the bottom of the front and back of the ballot in all caps bold.

(10) For counties offering multiple languages on touchscreen ballots, the language choice may appear prior to the first ballot screen.

(11) For constitutional amendments, the number designation, constitutional amendment and Article and Section shall be in all caps bold. The ballot title for an issue shall be in upper and lower case bold. The substance of the issue shall be in upper and lower case. Following the substance shall be the words YES and NO shall be in all caps bold.

(12) When a primary includes one or more Universal Primary Contests as defined in Rule 1S-2.002, F.A.C., the following shall apply:

(a) The words "Universal Primary Contest" shall appear underneath the office title of the Universal Primary Contest and before the "(Vote for ...)" text.

(b) The names of all candidates for all partisan offices, including candidates for the Universal Primary Contest, shall be displayed with an appropriate abbreviation of party name.

(13) Each supervisor of elections shall determine the font sizes based on the number of candidates and races on the ballot. However, on optical scan ballots no font size shall be smaller than 10 point and on touchscreen ballots, the ballot image displayed to the voter on the screen must measure no less than 10 point. On any ballot, each category shall have consistent font sizes. For example, if one candidate's name is in 10 point type, the names of all candidates on that ballot shall be in 10 point type.

(14)(a) If in any election there are more candidates than will fit in one column or screen, or a candidate's name is so long that the party abbreviation will not fit to the right of the candidate's name, or a candidate's name is too long to fit on one line in the minimum font size, the supervisor of elections shall certify that fact and provide a copy of the proposed ballot to the Division of Elections for approval prior to the printing or distribution of the ballot. The Division shall verify that the facts and circumstances provided by the supervisor require deviation from the rule prior to giving its approval.

(b) Likewise, if circumstances dictate that a supervisor of elections must deviate from the rule in any other respect, the supervisor must certify the facts of the circumstances and obtain the approval of the Division of Elections prior to the printing or distribution of the ballot. The Division shall verify that the facts and circumstances provided by the supervisor require deviation from the rule prior to giving its approval.

(15) All other specifications for ballots must comply with the Florida Election Code.

(16) A primary ballot for the ~~Diebold Global~~ Accuvote voting system shall be substantially in accordance with Form DS-DE 30, eff. ____ 4/02, hereby incorporated by reference

and available from the Division of Elections. A general election ballot for the Diebold Global Accuvote voting system shall be substantially in accordance with Form DS-DE 31, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections.

(17) A primary ballot for ES&S Optech voting system shall be substantially in accordance with Form DS-DE 32, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for ES&S Optech voting system shall be substantially in accordance with Form DS-DE 33, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections.

(18) A primary ballot for Sequoia Optech voting system shall be substantially in accordance with Form DS-DE 64, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for Sequoia Optech voting system shall be substantially in accordance with Form DS-DE 65, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections.

(19) A primary ballot for ES&S M-100, 150, ~~and 550~~, and 650 voting systems shall be substantially in accordance with Form DS-DE 16, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for ES&S M-100, 150, ~~and 550~~, and 650 voting systems shall be substantially in accordance with Form DS-DE 17, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections.

(20) A primary ballot for Diebold Global ES 2001 Blended touchscreen voting system shall be substantially in accordance with Form DS-DE 44, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for Diebold Global ES 2001 Blended touchscreen voting system shall be substantially in accordance with Form DS-DE 45, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections.

(21) A primary ballot for ES&S iVotronic touchscreen voting system shall be substantially in accordance with Form DS-DE 22, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for ES&S iVotronic touchscreen voting system shall be substantially in accordance with Form DS-DE 23, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections.

(22) A primary ballot for Sequoia AVC Edge touchscreen voting system shall be substantially in accordance with Form DS-DE 46, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for Sequoia AVC Edge touchscreen voting

system shall be substantially in accordance with Form DS-DE 47, eff. ____ 4/02, hereby incorporated by reference and available from the Division of Elections.

(23) The ES&S iVotronic audio ballot must provide the following:

(a) Instructions.

1. Language instructions shall be as follows:

a. If English is the only language available, the message “Press the diamond button to begin voting” shall be given.

b. If multiple language choices are available, the following message shall be given: “Please select your ballot language. Select your choice by using the down arrow button. Press the diamond shaped select button to confirm your choice.” This message is to be read audibly in each language allowed as a choice until a selection is made.

2. General instructions shall be as follows:

a. “To repeat these instructions press the up arrow. You will be notified at completion. The up and down arrows control your movement from contest to contest and candidate to candidate. To vote a contest you must press the diamond shaped button to enter the candidate or issue selections. Moving up or down through the candidates or issues will bring you back to the contest titles. When you arrive at a contest, the selections for that contest will be repeated to you so that you may review your ballot at any time. If you wish to change your selection, you may do so by moving to your new choice and selecting it by pressing the diamond button.

To begin voting, press the diamond button. End of instructions.”

b. After the instructions are given and the diamond button is pressed, the system will read the election title, date, and number of contests on the ballot (election header). Following the election header, the system will read the contest number, office title, vote for statement, and number of candidates.

c. After the diamond button is pressed to enter a contest, the system shall read the candidate number, name of candidate, party designation, if required, and an indication of whether or not the candidate has been selected by the voter.

3. Write-In Instructions: When a voter has selected to write in the name of a candidate, the following message shall be given:

“Use the down arrow button to begin the alpha selection process. Press the diamond button to select a letter. Navigate using the up and down arrow buttons. When complete, arrow down until you reach the return to ballot message at the end of the alphabet. Press the diamond button. The write-in candidate will be read to you. To accept the write-in candidate, press the diamond button.”

4. If the voter tries to overvote a contest, the following message shall be given:

“You have already checked the maximum candidates in this contest. If you wish to select a different candidate in this contest, you must first uncheck a previous selection by moving to that candidate and pressing the diamond button.”

5. At the end of the ballot, the following message shall be read:

“You have reached the end of the ballot. To continue, change or review your ballot, press the diamond button. To review your selections, use the up and down arrow buttons to move through the contest titles to hear your selections. To cast your ballot now, press the vote button located at the top center of the voting terminal.”

6. When a constitutional amendment is on the ballot the message shall read as follows:

“Constitutional amendment number _____. Proposing an amendment to Article _____, section _____ of the Florida Constitution.”

a. The ballot title will then be read.

b. Following the ballot title, the substance of the amendment shall be read.

c. Following the substance of the amendment, the choices of Yes and No shall be given.

(b) All audio ballot instructions and information shall be given without voice inflection which either favors or disfavors any potential selection.

(c) The order of the audio ballot shall be the same as the order of the touchscreen ballot.

(24) The Sequoia AVC Edge audio ballot must provide the following:

(a) Instructions.

1. Language instructions shall be as follows:

If multiple language choices are available, the following message shall be given: “Press the round red select button to begin language selection. Press the triangle shaped green next and yellow back buttons to review language selections and then press the round red select button for your selected language.” This message is to be read audibly in each language allowed as a choice until a selection is made. Once the language is chosen, the system will announce the selection, for example, “English selected.”

2. General instructions shall be as follows:

a. After the selection of the language is complete, or if English is the only language available, the following message of general instructions will be given, “Press the round red select button at any time to exit this recording. Use the left and right pointing triangle shaped green next and yellow back buttons to move back and forth through the choices for each contest. When you hear the desired choice, press the round red select button to select your choice or deselect your choice. For write-in choices, use the left and right pointing triangle shaped

green next and yellow back buttons, and the round red select button to spell out the desired choice. Press the square blue help button at any time to hear help instructions.”

b. After the general instructions are heard, then the first contest title information is read. After hearing the contest title, further instructions are available by pressing the blue help button. Upon pressing the blue help button, the following message shall be read, “Use the left and right pointing triangle shaped green next and yellow back buttons to move through the contests and propositions. Press the round red select button to enter a contest and make choices. When you are finished, move to the end of the contest list to the choice “Done Voting” and select that.”

c. After the general instructions and contest help instructions are read, the following message shall be read, “Press the SELECT button to begin voting in the first contest.” After pressing the SELECT button, the following message will be added, “Please wait while the list of choices is read. After the list is read, press the right pointing green triangle shaped next button to hear the first choice. Repeat this action until you hear the choice you want then press the round red select button to select your choice.”

d. After the instructions and helps are given, and the red select button is pressed, the system will read the election header information, and then proceed to read the contest number, office title, vote for statement and the number of candidates.

e. After entering a contest, the voter may obtain instructions on the process of making a selection within a contest, by pressing the blue help button. The system shall read, “Use the left and right pointing triangle shaped green next and yellow back buttons to move through the list of candidates. Press the round red select button to make choices or to cancel them. At the end of this list of candidates is a selection to exit to the next contest.” When a contest is fully voted, the system will read, “This contest is fully voted. Press the round red select button to exit this contest and hear the title of the next choice.” If there are additional contests, the next contest title information will be read.

3. Write-in Instructions.

a. When a voter has selected to write in the name of a candidate, the following message shall be read, “Use the left and right pointing triangle shaped green next and yellow back buttons to move through the alphabet. Press the round red select button to select letters and spell the desired name. At the end of the list of letters are numbers, punctuation and choices to enter or cancel your choice.”

b. To review the write-in name entered, the voter shall use the left and right pointing triangle shaped green next and yellow back to get to message that shall read, “Review this write-in entry.” After pressing the red select button, the following message shall be read, “The write-in entries you have made are....”, after which the write-in letters, entered by

the voter, shall be read. After completing the review of name of the write-in candidate, the following message shall be read, "Press the round red select button to confirm the write-in selection."

4. If the voter tries to overvote a contest, the following message shall be given: "This contest is fully voted. To select this choice you must first deselect the choice you have already made. If you need help, press the square blue help button for instructions for deselecting a choice."

a. During this review process the contest title information shall be given, along with one of the following messages, "This contest is fully voted." "This contest is not fully voted." "No selections have been made in this contest." Any and all candidates that have been selected shall be read for the voter's review.

b. After the review is completed, the voter shall press the green next button to complete voting, and the following messages shall be given, "Voting is completed. Press the round red select button if you are done voting. Otherwise use the left and right pointing triangle shaped green next and yellow back buttons to move back to the ballot."

c. If, after the voter presses the red select button to indicate that voting is done, there are any undervoted contests, the following message shall be given, "You have not made all the choices you are entitled to. To return to the ballot press the left pointing yellow triangular back button. To cast your ballot as it is, press the round red select button."

d. If the voter has not made any choices on the ballot (a blank ballot), the following message shall be given, "You have not made any selections on this ballot."

6. At the conclusion of the review process, the following message shall be given, "Press the round red select button when you are finished, this will record your vote. Press the left pointing yellow back button to return to the ballot."

a. After pressing the red select button, the following message shall be given, "Press the round red select button. Your vote is being recorded."

b. After the vote has been recorded, the following message shall be given, "Thank you for voting."

7. When a constitutional amendment is on the ballot the message shall read as follows: "Constitutional amendment number _____. Proposing an amendment to Article _____, section _____ of the Florida Constitution."

a. The ballot title will then be read.

b. Following the ballot title, the substance of the amendment shall be read.

c. Following the substance of the amendment, the choices of Yes and No shall be given.

(b) All audio ballot instructions and information shall be given without voice inflection which either favors or disfavors any potential selection.

(c) The order of the audio ballot shall be the same as the order of the touchscreen ballot.

~~(25)~~(24) All forms referenced in this rule may be obtained from the Division of Elections, Room 100, The Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399-0250, (850)245-6200.

Specific Authority 101.151(8) FS. Law Implemented 101.151(8) FS. History--New 6-6-02, Amended 9-8-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sarah Jane Bradshaw, Assistant Division Director
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edward C. Kast, Director, Division of Elections, Department of State
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 7, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2003

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES: Standards
RULE NOS.: 5F-2.001

Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44 5F-2.014

PURPOSE AND EFFECT: The purpose of Rule 5F-2.001, F.A.C., is to adopt the 2004 edition of the chemical and physical standards set forth in the American Society for Testing and Materials. These standards will be used for quality testing of regulated petroleum products. The effect will be that the Department will use the most recent nationally recognized standards for petroleum products developed by a consensus organization. The purpose of Rule 5F-2.014, F.A.C., is to adopt the 2004 edition of NIST Handbook 44 which contains specifications and testing criteria for liquid and vapor measuring devices. The effect will be the incorporation of the most recent specifications and testing criteria of measuring devices developed by a consensus organization.

SUMMARY: Proposed Rules 5F-2.001 and 5F-2.014, F.A.C., will specify that the 2004 Annual Book of ASTM Standards and 2004 edition of NIST Handbook 44, respectively, are the accepted standards for implementation of Chapter 525, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 525.14, 525.037, 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 525.01, 525.037, 525.07, 525.14, 531.40 FS.

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

TIME AND DATE: 10:00 a.m., Monday, May 10, 2004

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE FULL TEXT OF THE PROPOSED RULES IS:

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions may be made by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in the American Society for Testing and Materials designation D 4814-03a ~~D 4814-02~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 4814-03a ~~D 4814-02~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(2) Kerosene (Kerosine). The following specifications apply to kerosene No. 1-K and No. 2-K sold or offered for sale in Florida.

(a) Standards. All kerosine No. 1-K and No. 2-K shall conform to the chemical and physical standards for kerosene No. 1-K and No. 2-K as set forth in the American Society for Testing and Materials designation D 3699-03 ~~D 3699-02~~, "Standard Specification for Kerosine."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 3699-03 ~~D 3699-02~~, "Standard Specification for Kerosine."

(3) Diesel Fuel Oils No. 1-D and No. 2-D. The following specifications apply to diesel fuel oils No. 1-D and No. 2-D sold or offered for sale in Florida.

(a) Standards. All diesel fuel oils No. 1-D and No. 2-D shall conform to the chemical and physical standards for diesel fuel oils No. 1-D and No. 2-D as set forth in the American Society for Testing and Materials designation D 975-03 ~~D 975-02~~ "Standard Specification for Diesel Fuel Oils."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 975-03 ~~D 975-02~~, "Standard Specification for Diesel Fuel Oils."

(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org>.

(a) American Society for Testing and Materials D 4814-03a ~~D 4814-02~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel";

(b) American Society for Testing and Materials D 3699-03 ~~D 3699-02~~, "Standard Specification for Kerosine";

(c) American Society for Testing and Materials D 975-03 ~~D 975-02~~, "Standard Specification for Diesel Fuel Oils";

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, 8-15-02, 6-29-03, _____.

5F-2.014 Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44.

The general code and the codes of liquid-measuring devices, liquefied petroleum gas and anhydrous ammonia liquid-measuring devices, hydrocarbon gas vapor-measuring devices, vehicle-tank meters, and vehicle tanks used as measures relating to specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, contained in National Institute of Standards and Technology Handbook 44, 2004 ~~2003~~ Edition, published by U.S. Department of Commerce are hereby adopted by reference as rules of the Department of Agriculture and Consumer Services. Copies may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402 or at <http://ts.nist.gov/ts/htdocs/230/235/h442001.htm>.

Specific Authority 525.14, 531.40, 531.41(3) FS. Law Implemented 525.07, 531.40 FS. History—New 1-1-74, Amended 7-1-74, Repromulgated 12-31-74, Amended 4-18-75, 1-25-76, 1-17-77, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-2.14, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, 8-15-02, 6-29-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Eric Hamilton
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Ben Faulk, Director, Division of
Standards
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 5, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 19, 2004

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Packaging and Labeling Regulation
RULE NO.: 5F-3.001

PURPOSE AND EFFECT: The purpose of Rule 5F-3.001, F.A.C., is to amend it to adopt the most recent national standards for packaging and labeling requirements as adopted by the National Conference on Weights and Measures and published in 2004 edition of National Institute of Standards and Technology Handbook 130. Adoption of the current national standards will make Florida’s requirements uniform with the national requirements and facilitate interstate commerce and trade.

SUMMARY: Updates Rule 5F-3.001, F.A.C., to adopt the current national requirements for the packaging and labeling of commodities as adopted by the National Conference on Weights and Measures and published as the “Uniform Packaging and Labeling Regulation” in the 2004 edition of National Institute of Standards and Technology Handbook 130.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.41(4), 531.47, 531.49 FS.

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

TIME AND DATE: 10:00 a.m., Monday, May 10, 2004

PLACE: Division of Standards’ Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-3.001 Adoption of Uniform Packaging and Labeling Regulation.

The Department of Agriculture and Consumer Services hereby adopts the Uniform Packaging and Labeling Regulation promulgated by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, ~~2004~~ ~~2003~~ Edition, as the Rule for packaging and labeling of commodities and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, ~~2004~~ ~~2003~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800 or <http://ts.nist.gov/ts/htdocs/230/235/h130-01.htm>. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3) FS. Law Implemented 531.41(4), 531.47, 531.49 FS. History—New 1-1-73, Formerly 5F-3.01, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02, 6-29-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Max Gray, Chief, Bureau of Weights and Measures
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Ben Faulk, Director, Division of
Standards

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Specifications, Tolerances and Other
RULE NO.: 5F-5.001

Technical Requirements for
Commercial Weighing and
Measuring Devices

PURPOSE AND EFFECT: The purpose of this rule is to amend Rule 5F-5.001, F.A.C., to adopt the most recent national standards for weighing and measuring devices developed by the National Conference on Weights and Measures and published in the 2004 edition of National Institute of Standards and Technology Handbook 44. Adoption of the standards provides for uniformity of Florida’s requirements with the national requirements to facilitate interstate commerce and trade.

SUMMARY: Rule 5F-5.001, F.A.C., adopts the current national standards for specifications, tolerances and other technical requirements for commercial weighing and measuring devices as published in the 2004 edition of National Institute of Standards and Technology Handbook 44.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 531.40, 531.41(3) FS.

LAW IMPLEMENTED: 531.40 FS.

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

TIME AND DATE: 10:00 a.m., Monday, May 10, 2004

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-5.001 Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices.

(1) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices adopted by the National Conference on Weights and Measures and contained in National Institute of Standards and Technology (NIST) Handbook 44, 2004 ~~2003~~ Edition, are hereby adopted as rules for the requirements for commercial weighing and measuring devices of the Department of Agriculture and Consumer Services. A copy of NIST Handbook 44, 2004 ~~2003~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone (202)512-1800 or at <http://ts.nist.gov/ts/htdocs/230/235/h442001.htm>.

(2) The violation of any of the provisions of these rules and regulations is subject to the penalties and remedies provided in the Weights, Measures, and Standards Law, Chapter 531, Florida Statutes.

Specific Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02, 6-29-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Max Gray, Chief, Bureau of Weights and Measures

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Performance Specifications and Standards

RULE NO.:

for Motor Vehicle Brake Fluid 5F-6.001

PURPOSE AND EFFECT: The purpose of Rule 5F-6.001, F.A.C., is to adopt the most recent version of Motor Vehicle Safety Standard No. 116, Motor Vehicle Brake Fluid, revised October 1, 2003.

SUMMARY: Proposed Rule 5F-6.001, F.A.C., will specify that the Motor Vehicle Safety Standard No. 116, Motor Vehicle Brake Fluid, revised October 1, 2001, is the accepted standard for implementation of Chapter 526, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 526.52(1) FS.

LAW IMPLEMENTED: 526.53(1),(2), 526.54 FS.

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

TIME AND DATE: 10:00 a.m., Monday, May 10, 2004

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Hamilton, Bureau Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-6.001 Performance Specifications and Standards for Motor Vehicle Brake Fluid.

(1) The performance specifications and standards for brake fluid adopted by the United States Department of Transportation and contained in Motor Vehicle Safety Standard

No. 116, Motor Vehicle Brake Fluid, revised October 1, 2003 ~~October 1, 2004~~, are hereby adopted as rules of the Department of Agriculture and Consumer Services.

(2) The violation of any provisions or standards of this rule is subject to penalties, provided in Chapter 526, Part II, Florida Statutes.

Specific Authority 526.52(1) FS. Law Implemented 526.53(1)(2), 526.54 FS. History—New 5-8-78, Formerly 5F-6.01, Amended 12-9-98, 12-9-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Eric Hamilton

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Methods of Sale
RULE NO.: 5F-7.005

PURPOSE AND EFFECT: The purpose of this rule is to adopt the most recent national standards for the method of sale of commodities established by the National Conference on Weights and Measures and published in the 2004 edition of National Institute of Standards and Technology Handbook 130. Adoption of the national standards will make Florida’s requirements for methods of sale uniform with the national standards and facilitate interstate commerce and trade.

SUMMARY: Adopts the current national model methods of sale of commodities being sold by weight, measure or count, as published in National Institute of Standards and Technology Handbook 130 to provide for interstate commerce, facilitate value comparison and provide adequate quantity information for consumers and purchasers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 531.41(3) FS.

LAW IMPLEMENTED: 531.41(4), 531.45 FS.

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

TIME AND DATE: 10:00 a.m., Monday, May 10, 2004

PLACE: Division of Standards’ Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-7.005 Adoption of Uniform Methods of Sale.

The Florida Department of Agriculture and Consumer Services hereby adopts the Uniform Regulation for the Method of Sale of Commodities, as published by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2004 ~~2003~~ Edition, as the Rule for the method of sale for commodities, and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2004 ~~2003~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800 or <http://ts.nist.gov/ts/htdocs/230/235/h130-01.htm>. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)488-9140.

Specific Authority 531.41(3),(4), 531.45 FS. Law Implemented 531.41(3),(4), 531.45 FS. History—New 1-8-90, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, 9-3-01, 6-23-02, 6-29-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Max Gray, Chief, Bureau of Weights and Measures

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ben Faulk, Director, Division of Standards

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE CHAPTER TITLE: Aquaculture Best Management Practices
RULE CHAPTER NO.: 5L-3

RULE TITLE: Aquaculture Best Management Practices Manual
RULE NO.: 5L-3.004

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Chapter 5L-3, F.A.C., to include addendums relating to regulation of the use of noise makers, air cannons, and other bird depredation devises, and transgenic species to the aquaculture best management practice manual,

dated October, 2002. The manual change will specifically include addendums for preventing wildlife depredation; and non-native and restricted non-native species.

SUMMARY: The proposed rule establishes the procedures to follow and best management practices to implement by aquaculture producers in order to obtain an aquaculture certificate of registration from the Florida Department of Agriculture and Consumer Services.

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 within 21 days of this notice.

SPECIFIC AUTHORITY: 570.07(23), 597.004(2)(b) FS.

LAW IMPLEMENTED: 597.002, 597.003, 597.004 FS.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Kal Knickerbocker, Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, FL 32301

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: 9:00 a.m., Monday, May 10, 2004

PLACE: Division of Aquaculture Conference Room, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301

If accommodation for a disability is needed to participate in this activity, please notify the Personnel Services Specialist, Bureau of Personnel Management, (850)921-6262, at least seven days before the meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kal Knickerbocker, Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301, (850)488-4033

The proposed rule and reference manual are available by contacting Kal Knickerbocker at the above address and telephone number or can be obtained on the Division of Aquaculture's website at www.FloridaAquaculture.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-3.004 Aquaculture Best Management Practices Manual.

(1) The Best Management Practices manual used by the Department under Chapter 5L-3, F.A.C., is adopted and incorporated by reference in this section. The manual is listed below by subject title and date. Copies of the manual may be obtained by contacting the Department.

(2) Aquaculture Best Management Practices Manual, October, 2002 Addendum entitled Preventing Wildlife Depredation, effective _____ and Addendum entitled Non-Native and Restricted Non-Native Species, effective _____.

Specific Authority 570.07(23), 597.004(2)(b), 791.07 595.004(2)(b) FS. Law Implemented 597.003, 597.004 FS. History--New 10-4-00, Amended 12-29-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kal Knickerbocker

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sherman Wilhelm, Director, Division of Aquaculture

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

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Florida Teacher Certification Examinations

RULE NO.: 6A-4.0021

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the registration application for the Florida Teacher Certification Examinations; to update the weighting of the essay and multiple-choice sections of the English 6-12 subject area examination; to establish a transitional passing score for the Computer Science K-12 subject area examination; and to revise the language pertaining to the setting of standard passing scores for the Professional Education Test and the Middle Grades Integrated Curriculum 5-9 and Physical Education K-12 subject area examinations to allow for the collection of sufficient data. The effect is that an updated registration application will be available; the weighting of the essay and multiple-choice sections of the English 6-12 subject area examination will be updated; a transitional passing score will be established for the Computer Science K-12 subject area examination; and sufficient data will be collected for setting the standard passing scores for the Professional Education Test and the Middle Grades Integrated Curriculum 5-9 and Physical Education subject area examinations.

SUMMARY: The registration application will be updated; scoring weighting will be updated, a transitional passing score will be established; and the collection of sufficient data for setting standard passing scores will be enabled.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1012.55(1), 1012.56, 1012.59 FS.
 LAW IMPLEMENTED: 1012.56 FS.
 A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 8:30 a.m., May 18, 2004
 PLACE: 325 West Gaines Street, Tallahassee, Florida 32399-0400
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathy Fearon, Accountability, Research, and Measurement, 325 W. Gaines St., Room 414, Tallahassee, FL 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

- (1) through (3) No change.
- (4) Registration, late registration and refunds.

(a) Registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. To register to take the examinations, an applicant shall submit a completed application which shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. Before October 1, ~~2004, 2003~~, a complete application shall consist of the following:

a. A completed application Form ~~CG-20-03A~~ ~~CG-20-03~~, Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. Form ~~CG-20-03A~~ ~~CG-20-03~~, Registration Application: Certification Examinations for Florida Educators is hereby incorporated by reference and made a part of this rule to become effective ~~October 2004~~ ~~July 2003~~. This form may be obtained without cost from the Bureau of Educator Certification, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

b. A twenty-five (25) dollar fee for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, for each registration for the professional skills examination, and for each registration for the general knowledge test or any combination of subtests for the general knowledge test.

c. A charge of one hundred (100) dollars in addition to the fees described in sub-subparagraph 6A-4.0021(4)(a)1.b., FAC., for certification applicants taking a supplemental examination.

2. Beginning October 1, ~~2004, 2003~~, a completed application shall consist of the following:

a. A completed application Form ~~CG-20-04~~ ~~CG-20-03A~~, Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. Form ~~CG-20-04~~ ~~CG-20-03A~~ is hereby incorporated by reference and made a part of this rule to become effective

October 1, ~~2004, 2003~~. This form may be obtained without cost from the Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

b. A twenty-five (25) dollar fee for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, each registration for the professional skills examination, and each registration for the general knowledge test or any combination of subtests for the general knowledge test.

c. A charge of one hundred (100) dollars in addition to the fees described in sub-subparagraph 6A-4.0021(4)(a)2.b., FAC., for certification applicants taking a supplemental examination.

3. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in paragraph 6A-4.0021(4)(b), FAC.

(9) Scoring of the subject area specialty examinations.

(c) For subject area specialty examinations listed below, a score earned prior to October 1, 1990, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. Effective October 1, 1990, a passing score for these subject area examinations will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following scores on the April, 1989 test administration:

SUBJECT	SCORE
Art K-12	63 correct items
Elementary Education 1-6	84 correct items
English 6-12	71 on a scale that weights the multiple choice section seventy (70) eighty (80) percent and the essay section thirty (30) twenty (20) percent.
Hearing Impaired K-12	66 correct items
Mathematics 6-12	60 correct items
Music K-12	64 correct items
Primary Education K-3	88 correct items
Social Science 6-12	102 correct items

(n) ~~After sufficient data have been collected~~ ~~Not later than September 1, 2004~~, the Commissioner of Education shall review examinee performance levels for the Professional Education Examination, the Middle Grades Integrated Curriculum 5-9 Examination, and the Physical Education K-12 Examination and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

(o) Effective July 2004, the passing score for the subject area specialty examination listed below shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to the raw score on the July 2004 test administration as defined below.

Computer Science K-12. An examination raw score that results in an examinee passing rate of eighty-three (83) percent, which was the passing rate of teacher candidates who took the Computer Science K-12 specialty examination for the first time during the 2002-2003 examination administration year. In the event that fewer than fifty (50) examinees are tested in the July 2004 administration, the passing score shall be sixty-three (63) percent of the items.

(p) After sufficient data have been collected, the Commissioner of Education shall review examinee performance levels for the Computer Science K-12 Examination and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

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

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

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

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

(b) The examinee shall be sent two (2) authenticated score reports as described in paragraph 6A-4.0021(10)(a), F.A.C. In addition, a copy of the score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report on either the CG-20-03A ~~CG-20-02~~, Registration Application: Certification Examinations for Florida Educators or the CG-20-04 ~~CG-20-03~~, Registration Application: Certification Examinations for Florida Educators.

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

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

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

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

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: March 5, 2004

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:

Florida Educational Leadership Examination 6A-4.00821

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the registration application for the Florida Educational Leadership Examination. The effect is that an updated registration application will be available.

SUMMARY: The registration application will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1012.56, 1012.59 FS.

LAW IMPLEMENTED: 1012.56 FS.

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

TIME AND DATE: 8:30 a.m., May 18, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathy Fearon, Accountability, Research, and Measurement, 325 W. Gaines St., Room 414, Tallahassee, FL 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.00821 Florida Educational Leadership Examination.

(1) through (3) No change.

(4) Registration, late registration, and refunds.

(a) Registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. To register to take the examination, an applicant shall submit a completed application to the test administration agency. The completed application shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. Before October 1, 2004 ~~2003~~, a completed application shall consist of the following:

a. A completed application Form CG-20-03A ~~CG-20-03~~, Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. Form CG-20-03A ~~CG-20-03~~, Registration Application: Certification Examinations for Florida Educators is hereby incorporated by reference and made a part of this rule to become effective October 2004 ~~July 2003~~. This form may be obtained without cost from the Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

b. A fifty (50) dollar registration fee.

c. A charge of one hundred (100) dollars in addition to the fees described in sub-subparagraph 6A-4.00821(4)(a)1.b., FAC., for certification applicants taking the examination on a supplemental administration date.

2. Beginning October 1, 2004, ~~2003~~, a completed application shall consist of the following:

a. A completed application Form CG-20-04 ~~CG-20-03A~~, Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. Form CG-20-04 ~~CG-20-03A~~ is hereby incorporated by reference and made a part of this rule to become effective October 2004 ~~2003~~. This form may be obtained without cost from the Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

b. A fifty (50) dollar registration fee.

c. A charge of one hundred (100) dollars in addition to the fees described in sub-subparagraph 6A-4.0021(4)(a)2.b., FAC., for certification applicants taking a supplemental examination.

3. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in paragraph 6A-4.00821(4)(b), FAC.

(b) Late registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. Before October 1, 2004, ~~2003~~, an applicant who did not submit a completed application to the test administration agency within the fifty (50) day deadline may register for the examination by completing the requirements listed in subparagraph 6A-4.00821(4)(a)1., FAC., and submitting a thirty (30) dollar late charge. Beginning October 1, 2004 ~~2003~~, an applicant who did not submit a completed application to the test administration agency within the fifty (50) day deadline may register for the examination by completing the requirements listed in Rule 6A-4.00821(4)(a)2., FAC., and submitting a thirty (30) dollar late charge. All items shall be received by the test administration agency at least thirty (30) days preceding the examination date. Late registration shall be accepted on a space available basis.

(c) Refunds. Fees shall be refunded provided written requests for refunds are received by the test administration agency at least thirty (30) days preceding the examination date. Failure to appear for or to complete an examination shall result in forfeiture of fees.

(5) through (8) No change.

(9) Score reports.

(a) No change.

(b) The examinee shall be sent two (2) authenticated score reports. In addition, a copy of the score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report on either the CG-20-03A ~~CG-20-02~~, Registration Application: Certification Examinations for Florida Educators or the CG-20-04 ~~CG-20-03~~, Registration Application: Certification Examinations for Florida Educators.

(10) No change.

Specific Authority 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History—New 12-25-86, 1-11-89, 5-19-98, 10-5-99, 7-17-00, 7-16-01, 3-24-02, 10-17-02, 3-24-03, 7-21-03, _____.

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

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

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

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: March 5, 2004

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Residency for Tuition Purposes

RULE NO.: 6A-10.044

PURPOSE AND EFFECT: The residency rule governs residency decisions made by the public postsecondary community college, state universities, independent institutions as it relates to FRAG and any other institution receiving state financial aid. The rule attempts to provide consistency among institutions in making the residency determination, by defining which VISA categories are eligible to establish residency for determination and by specifying certain dates and documents that should be used for making the determination of residency.

SUMMARY: The amendments include: The establishment of two new VISA categories as eligible to establish residency for tuition purposes; identifies the Articulation Coordinating Committee as the entity responsible for ensuring consistency among institutions; provides technical amendments; establishes which date should be used on the declaration of domicile from which an application may establish residency; states that all reference to federal and state governments shall

be interpreted as U.S. federal and state government; establishes standards for determining dependent and independent All Florida residents; clarifies that the definition of a legally married person shall be consistent with Chapter 741, Florida Statutes; stipulates that non-residents who are enrolled as full-time students must present clear and convincing evidence of meeting the requirements for residency for tuition purposes and that they are not here primarily to attend an institution of higher education and establishes the last day of registration for which a student intends to enroll as the date by which all documents for determining residency must be submitted by the student.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 1009.21 FS.

LAW IMPLEMENTED: 1009.21 FS.

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

TIME AND DATE: 8:30 a.m., May 18, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Connie Graunke, Department of Education, 325 West Gaines Street, Room 1414, Tallahassee, Florida 32399-0400, (850)245-9536

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.044 Residency for Tuition Purposes.

The State Board of Education ~~Community Colleges and the Board of Regents~~ shall maintain consistent policies and practices for the classification of students as residents for tuition purposes to facilitate the transfer of students among institutions. The ~~policies and~~ practices may vary to accommodate differences in governance, but the determinations of classification or reclassification shall be consistent to assure that students are of being classified the same regardless of the institution determining the classification.

(1) The classification of a student as a Florida resident for tuition purposes by a public Florida community college or university shall be recognized by other public postsecondary institutions to which the student may later seek admission provided that student has attended that institution within the last 12 months ~~unless the classification was erroneous or the student did not then qualify as a resident for tuition purposes.~~

~~(2)~~ Once a public institution has classified a student as a resident for tuition purposes, institutions to which the student may transfer are not required to re-evaluate the classification unless inconsistent information suggests that an erroneous classification was made or the student's situation has changed.

~~(3) Changes the State Board of Education Community Colleges and the Board of Regents intend to make in the policies and practices for the classification of students as residents for tuition purposes shall be filed with the Articulation Coordinating Committee.~~

(2) The Articulation Coordinating Committee shall ensure that consistent documents and processes are being used by institutions in carrying out the policies of the State Board of Education in classifying or re-classifying applicants as residents for tuition purposes.

~~(3)(4)~~ Non-U.S. citizens such as permanent residents, parolees, asylees, refugees, or other permanent status persons (e.g., conditional permanent residents and temporary residents), who ~~have applied to and~~ have been approved by the U.S. Bureau of Citizenship and Immigration Services ~~Immigration and Naturalization Service~~ with no date certain for departure shall be considered eligible to establish Florida residency for tuition purposes.

~~(4)~~ ~~In addition,~~ Nonimmigrants holding one of the following visas shall be considered eligible to establish Florida residency for tuition purposes. Persons in visa categories not listed herein shall be considered ineligible to establish Florida residency for tuition purposes.

- (a) Visa category A – Government official.
- (b) Visa category E – Treaty trader or investor.
- (c) Visa category G – Representative of international organization.
- (d) Visa category H-1 – Temporary worker performing professional nursing services or in a specialty occupation.
- (e) Visa category H-4 – Only if spouse or child of alien classified H-1.
- (f) Visa category I – Foreign information media representative.
- (g) Visa category K – Fiance, fiancée, spouse or a child of United States citizen(s).
- (h) Visa category L – Intracompany transferee (including spouse or child).
- (i) Visa category N – Parent or child of alien accorded special immigrant status.
- (j) Visa category O-1 – Workers of “extraordinary” ability in the sciences, arts, education, business, or athletics.
- (k) Visa category O-3 – Only if spouse or child of O-1 alien.
- (l) Visa category R – Religious workers.
- (m) Visa category NATO 1-7 – Representatives and employees of NATO and their families.

(n) Visa category T – Victims of trafficking who cooperate with federal authorities in prosecutions of traffickers and their spouses and children.

(o) Visa category V – Spouses and children of lawful permanent residents.

(5) Non-U.S. citizens who fall within the following categories shall also be considered eligible to establish Florida residency for tuition purposes:

- (a) Citizens of Micronesia.
- (b) Citizens of the Marshall Islands.
- (c) Beneficiaries of the Family Unity Program.
- (d) Individuals granted temporary protected status.
- (e) Individuals granted withholding of deportation status.
- (f) Individuals granted suspension of deportation status or cancellation of removal.
- (g) Individuals granted a stay of deportation status.
- (h) Individuals granted deferred action status.
- (i) Individuals granted deferred enforced departure status.
- (j) Applicants for adjustment of status.
- (k) Asylum applicants with INS receipt or Immigration Court stamp.

(6) If a declaration of domicile, pursuant to Section 222.17, Florida Statutes, is being used as one of the documents to establish residency for tuition purposes, the date that an applicant shall be deemed as establishing residency for tuition purposes shall be twelve (12) months from the date that the Clerk of Circuit Court notes the declaration was sworn and subscribed to them.

(7) For purposes of this rule, any reference to federal or state government shall be construed as meaning U.S. federal or state government.

(8) An applicant shall be classified at the time of initial classification as an “All Florida” resident for tuition purposes and the institution to which the applicant is applying shall grant the applicant residency for tuition purposes if all of the following criteria are met. If the applicant does not meet all of the criteria, he or she must be evaluated further to determine residency status.

(a) If the student indicates he/she is an independent person he/she will qualify as an All Florida resident if all of the following criteria are met:

- 1. Their nation of citizenship is the United States.
- 2. The student is twenty-four (24) years of age or over.
- 3. Their permanent address is a Florida address.
- 4. The high school from which the student graduated is a Florida high school.
- 5. Every postsecondary school, college, or university attended is located in the State of Florida.

6. The student provides two (2) of the following three (3) Florida documents that are dated more than twelve (12) months old: a Florida voter’s registration, a driver’s license or a vehicle registration.

(b) If the student indicates he/she is a dependent person he/she will qualify as an All Florida resident if all of the following criteria are met:

- 1. Their nation of citizenship is the United States.
- 2. The student is under twenty-four (24) years of age.
- 3. Their mother, father or legal guardian is the person claiming Florida residence.
- 4. The mother, father or legal guardian claiming Florida residence has a Florida permanent legal address.
- 5. The mother, father or legal guardian claiming Florida residence has two (2) of the following three (3) Florida documents that are dated more than twelve (12) months old: A Florida voter’s registration, a driver’s license or a vehicle registration.

(c) Other applicants who do not fall into either of the above categories shall be further assessed by the institution to determine residency for tuition purposes and shall provide other documentation as required by the institution to make such determination.

(9) In determining the domicile of a married person, irrespective of sex, the determination of a legally married person shall be consistent with Chapter 741, Florida Statutes.

(10) No independent or dependent student shall be deemed to have gained or acquired in-state status for tuition purposes while enrolled as a full-time student at any public higher educational institution in this State, unless the student presents clear and convincing evidence that the student is establishing Florida as their permanent domicile and not establishing a mere temporary residence incident to the enrollment in higher education. The definition of full time student shall be based on the federal financial aid definition.

(11) All documentation establishing the fact that a student is a resident eligible for residency for tuition purposes must be presented prior to the last day of registration for the term for which the student intends to enroll or the student will not be classified as a resident for tuition purposes for that term. The residency status will remain in place unless the student files for a re-classification or evidence is presented which indicates the residency status of the student has changed. The institution may define term(s) to include session(s), program(s) and/or course(s) that may be offered at times other than the regular semester term. The burden of establishing the facts, which justify classification of a student as a resident for tuition purposes rests with the applicant.

Specific Authority 1009.21 229.053(1), 240.325 FS. Law Implemented 1009.21 240.4204 FS. History—New 10-6-92, Amended 10-17-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sharon Koon, Office of Accountability, Research and Measurement, Department of Education

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

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

DATE NOTICE OF PROPOSED DEVELOPMENT PUBLISHED IN FAW: November 14, 2003

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: Correctional Probation Officers

RULE NO.:

Carrying Firearms 33-302.104

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to simplify and streamline the rule by removal of obsolete and unnecessary language, to allow for the carrying of 9mm semi-automatic firearms, and to remove the requirement that weapons be carried concealed.

SUMMARY: The proposed amendments remove obsolete and unnecessary language, allow for the carrying of 9mm semi-automatic firearms, and remove the requirement that weapons be carried concealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 20.315, 790.06, 944.09 FS.

LAW IMPLEMENTED: 20.315, 790.06, 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.104 Correctional Probation Officers Carrying Firearms.

(1) No change.

(2) Definitions.

~~(a) “Concealed firearm” means a firearm carried on or about a person in such a manner as to conceal the firearm from the ordinary sight of another person.~~

(b) through (c) renumbered (a) through (b) No change.

~~(c)(d) “Firearm card” means the document issued by the department pursuant to this rule to a correctional probation officer who has been authorized by the department to carry a firearm while on duty. Form DC3-223, Firearms Qualification and Authorization, shall be used for this propose. Form DC3-223 is hereby incorporated by reference. A copy of this form may be obtained from Department of Corrections, Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is August 13, 2003.~~

~~(e) “Deadly force” means force that is likely to cause death or great bodily harm and includes firing a firearm in the direction of a person or occupied vehicle.~~

~~(d)(f) Reviewing authority, for the purpose of this rule, refers to staff who are authorized to review and approve requests to carry firearms, issue firearm cards ~~Firearm Qualification and Authorization, DC3-223~~, maintain lists of staff under their supervision who have been authorized to carry a firearm, and permanently remove or temporarily suspend authorization for staff to carry a firearm.~~

1. through 3. No change.

(3) Authorization Procedures.

(a) No change.

~~(b) Any correctional probation officer who elects to carry a firearm while on duty shall obtain complete Form DC3-226, Request for Authorization to Carry a Firearm on Duty, and submit it for such authorization through the circuit administrator. ~~Form DC3-226, Request for Authorization to Carry a Firearm on Duty, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is March 4, 2001.~~ Any circuit administrator or deputy regional director of probation and parole who elects to carry a firearm while on duty shall obtain authorization from ~~make application utilizing Form DC3-226 to~~ the regional director of probation and parole. A regional director of probation and parole who elects to carry a firearm while on duty shall obtain authorization from ~~make application utilizing Form DC3-226 to~~ the director of community operations. The written request application shall contain documentation that the individual has complied with the training and qualification requirements set forth in paragraph (c) below. ~~The application shall also contain a statement that the officer has read and understands Rule 33-302.104 and 33-209.103, F.A.C.~~~~

(c) Correctional probation officers who elect to carry a firearms while on duty shall complete training and qualification requirements pursuant to Rule 33-209.103, F.A.C. Correctional probation officers shall not be allowed to carry a firearm on duty until firearms qualification is successfully completed and the firearm card ~~Firearms Qualification and Authorization, Form DC3-223~~, has been issued. Qualification, re-qualification and training shall be completed using the

specific weapon that the officer will be using on duty and any type of ammunition approved by the local training center. Documentation of the model, make, and serial number of the weapon used, proof of ownership, and firearm inspection by a certified gunsmith or law enforcement armorer shall be submitted on the Firearm Inspection/Repair Certificate, Form DC3-240, along with the documentation of training and qualification in the request application for authority to carry the firearm. A receipt of purchase or affidavit of ownership for the weapon shall also be provided. Form DC3-240 is hereby incorporated by reference. A copy of the form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is March 4, 2001.

(d) If an officer temporarily or permanently replaces the firearm used for qualification, the officer shall notify the department of the replacement and provide the model, make and serial number of the replacement firearm. If the officer chooses to replace a revolver with a 9 millimeter semi-automatic firearm, the officer shall complete the department-approved 9mm transition course. The officer shall re-qualify with the replacement weapon and provide proof of ownership and inspection submit a Firearms Inspection/Repair Certificate, Form DC3-240, and Firearms Re-qualification Certificate, Form DC3-241, for the replacement firearm to the reviewing authority. Correctional probation officers shall not be authorized to carry more than one firearm at a time. Form DC3-241 is hereby incorporated by reference. A copy of the form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is March 4, 2001.

(e) Prior to approving a request to carry a firearm, the reviewing authority shall Upon review of the request application, the documentation of training and qualification pursuant to Rule 33-209.103, F.A.C., and shall complete after completing a Florida Crime Information Center/National Crime Information Center (FCIC/NCIC) check on the firearm by serial number, and an FCIC/NCIC check has been completed on the applicant. Upon approval, the reviewing authority to determine if there is a domestic violence injunction that would disqualify the applicant from possessing a firearm if convicted of domestic violence, the reviewing authority shall approve the request within 10 working days and shall issue a firearm card Firearms Qualification and Authorization Card, Form DC3-223, which establishes that the officer has been authorized to carry a firearm. Each reviewing authority shall maintain a list of all staff under their supervision who have been authorized to carry firearms. Form DC3-224, Firearm Authorization List, will be used for this purpose. Form DC3-224 is hereby incorporated by reference. A copy of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this

form is March 4, 2001. A copy of the application (Form DC3-226), documentation of qualification (Form DC3-240), firearms authorization card (Form DC3-223), and receipt or affidavit of ownership shall be placed in the employee's personnel file. Subsequent re-qualification documentation (Form DC3-241) will also be placed in the employee's personnel file.

(f) The firearms authorization card, Form DC3-223, shall expire the following year, on the last day of the month the firearms card was issued unless written documentation of re-qualification is submitted to the authorizing entity prior to the expiration of the firearms card. The officer shall be required to successfully re-qualify each year thereafter pursuant to Rule 33-209.103, F.A.C., and this rule in order to remain qualified to carry a firearm. All correctional probation officers shall be provided the opportunity to prepare for annual firearms re-qualification by participating in firearms pre-qualification training if requested. A correctional probation officer who declines the opportunity to participate in firearms pre-qualification training shall sign a statement indicating that the opportunity was provided and was declined. Form DC2-902, Refusal of Firearms Pre-qualification Training, shall be used for this purpose. Form DC2-902 is incorporated by reference in Rule 33-209.103, F.A.C.

(g) Re-qualification must occur prior to the employee's firearm card expiration date. Upon re-qualification, the firearms instructor will complete the Firearm Re-qualification Certificate, Form DC3-241, with the re-qualification score, and will sign the form as the trainer. The officer will certify that the firearm referenced on this form is the firearm used in the course of his or her duties and that he or she uses only authorized ammunition, and shall return the form to the reviewing authority for issuance of a new Firearms Qualification and Authorization Card, Form DC3-223. An FCIC/NCIC check shall be conducted during the re-qualification process. The new firearm card will be issued effective the date of re-qualification. The firearm card DC3-223 will expire the following year, on the last day of the month the firearms card was issued.

(h) No change.

(i) A correctional probation officer who fails to complete firearm pre-qualification after remedial training has been provided, and who wishes to renew authorization to carry a firearm, must re-attend and successfully complete the department approved basic correctional probation officer firearm course.

(j) A correctional probation officer who does not re-qualify prior to the date of expiration of the firearm card shall not be permitted to carry a firearm while on duty, except for firearm training purposes and must surrender the firearms card immediately to the range master. The range master or designee shall retain the firearms card from any officer failing to meet minimum qualification standards and notify the circuit

administrator via interoffice memorandum or e-mail advising that the officer will be scheduled for remedial training. The officer shall have one year from the date the firearm card expired to successfully re-qualify to continue to carry a firearm. If the officer successfully re-qualifies, after the card expires, a new firearm card will be issued with an expiration date the following year, on the last day of the month the firearms card was issued. If the officer does not successfully re-qualify within that year, the officer will be required to re-attend and successfully complete the department approved correctional probation officer basic firearms training courses. The department shall pay for the pre-qualification training, the firearms re-qualification, any remedial training, and any subsequent qualification attempt if required.

(i)(4) The officer shall immediately notify his or her immediate supervisor in the case of theft or loss of the authorized firearm. The officer shall notify local law enforcement agencies and the Florida Department of Law Enforcement in writing of the theft or loss and provide a copy to the supervisor to ensure the notification has been made as required. A Community Corrections Incident Report, Form DC3-225, shall be prepared by the officer any time a loss or theft occurs and shall be submitted to his or her immediate supervisor within 24 hours. The supervisor shall forward Form DC3-225 to the circuit administrator, who shall complete a MINS report. Form DC3-225 is incorporated by reference in Rule 33-302.105, F.A.C.

(4) Carrying a Firearm While on Duty.

(a) The firearm shall be carried by the officer only while conducting field supervision and investigation. The firearm shall be carried remain concealed out of the ordinary sight of another person in a holster about the waist or under the shoulder or in a purse or handbag or in a "fanny pack" fastened around the waist. All holsters that secure the firearm about the waist or under the shoulder shall be of a type which secures the firearm with a thumb break retainer. "Fanny packs" and purses or handbags shall have an internal holster with or without a thumb break retainer and shall have a snapped, zippered or velcroed enclosure concealing the firearm. Only the authorized firearm may be carried.

(b) No change.

(c) Each probation office shall have a designated secure space containing a secure locker for storage of firearms, ammunition, and reloading devices. Officers shall place their holstered firearms in the secure locker immediately upon entering the office. It is not necessary for the officer to remove the firearm from the locker for those occasions when the officer leaves the office for personal time or when the firearm is not desired. The firearm shall be removed from the locker at the conclusion of the duty day. No firearm shall be left in the probation office overnight.

(d) Any officer authorized to carry a firearm while on duty shall carry a Department of Corrections identification card and firearm authorization card while carrying the firearm on duty. If the officer is carrying a firearm on duty, he or she shall display the Department of Corrections issued badge in plain view. The officer may display the Department of Corrections issued badge on a belt or harness strap which shall remain concealed unless the firearm is visible or drawn from the holster.

(5) No change.

(6) Firearm Type and Ammunition.

(a) Correctional probation officers authorized to carry a firearm shall only be authorized to carry a five or six shot revolver of .38 or .357 caliber with a barrel length not to exceed four inches, or a 9 millimeter semi-automatic pistol, with the exception of weapons specified in Federal Firearms Regulations, 921(a)(30), as semi-automatic assault weapons.

(b) Correctional probation officers shall only be authorized to carry .38 special ammunition approved by the department for each respective weapon at standard velocity or plus p velocities with either a 125 to 158 grain semi-wad cutter hollow point or jacketed hollow point. The plus rated ammunition shall not be authorized unless the firearm is rated for that type of ammunition. All ammunition shall be factory manufactured except ammunition used for training, qualification, or re-qualification, which must be approved by the range facility for use. It shall be the correctional probation officer's responsibility to ensure that the ammunition used in his or her firearm complies with department guidelines as provided in this rule.

(c) Correctional probation officers are authorized to carry department approved reloading devices speed loaders or speed strips while carrying a firearm. These reloading devices and all accompanying ammunition shall be stored in the same secure locker as the officer's firearm immediately upon entering the office. Only that ammunition stored in a firearm or reloading device speed loader, or speed strip may be brought into an office.

(7) Use of Firearm. For the purposes of this rule, "use of a firearm" means to discharge a firearm or to have a firearm readily accessible for immediate discharge, i.e., loaded and in a person's hand.

(a) In accordance with firearms training, the firearm is to remain in a holster or holstered in a purse or fanny pack and concealed from the sight of another person at all times except:

1. through 4. No change.

(b) If the firearm is drawn while the correctional probation officer is on duty, the officer shall clearly and loudly identify himself or herself as a state probation officer.

(c)(b) In accordance with firearms training, correctional probation officers are authorized to use deadly force only after all other reasonable efforts to avoid confrontation have been exhausted, including retreat, use of handcuffs to restrain the

~~offender, use of defensive tactics or chemical agents.~~ Effective December 1, 2000, all officers authorized to carry firearms must be certified to carry chemical agents per Rule 33-302.105, F.A.C. and must carry chemical agents while carrying firearms. Effective August 13, 2003, all officers authorized to carry firearms must complete handcuff training requirements provided by the department and must carry department issued handcuffs on his or her person while carrying a firearm.

(c) through (d) renumbered (d) through (e) No change.

(8) Procedures Following Use of Firearm.

~~(a)~~ Except during authorized training, when a correctional probation officer displays or discharges a firearm, the officer shall report the incident to his or her immediate supervisor and route all necessary paperwork as required by Rule 33-302.105, F.A.C.

~~(b) An officer who caused death or injury through use of deadly force shall be given an opportunity to participate in the employee assistance program. Costs of counseling above those covered by insurance shall be borne by the state.~~

(9) No change.

(10) Care and Maintenance of Firearm.

(a) through (b) No change.

(c) If an officer finds that his or her firearm needs repair, it shall not be carried or used for any reason. The officer shall advise his or her immediate supervisor of its condition ~~using Form DC3-240~~ and shall make arrangements to have it repaired. ~~The officer shall advise the supervisor when the repair has been completed via Form DC3-240.~~

(d) No change.

(e) Each officer shall be responsible for having the authorized firearm, including any temporary or replacement firearm, inspected annually by a certified gunsmith or law enforcement armorer to ensure that it performs properly and conforms with the manufacturer's standards. The officer shall present certification of such inspection to the reviewing authority ~~via Form DC3-240.~~

(11) No change.

Specific Authority 20.315, 790.06, 944.09 FS. Law Implemented 20.315, 790.06, 944.09 FS. History—New 5-28-86, Amended 7-7-92, 12-20-92, 03-30-94, 9-27-94, 12-19-94, 3-8-95, 2-15-98, Formerly 33-24.013, Amended 3-4-01, 12-5-01, 8-13-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Beth Atchison

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2004

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Advanced Registered Nurse Practitioner Services

RULE NO.: 59G-4.010

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Advanced Registered Nurse Practitioner Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the current Florida Medicaid Advanced Registered Nurse Practitioner Services Coverage and Limitations Handbook, January 2004.

SUMMARY: The purpose of this rule amendment is to incorporate by reference in the rule the revised Florida Medicaid Advanced Registered Nurse Practitioner Services Coverage and Limitations Handbook, January 2004. The coverage and limitations handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new advanced registered nurse practitioner procedure codes, and updated fee schedules effective January 2004.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 FS.

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

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

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lynne Metz, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.010 Advanced Registered Nurse Practitioner Services.

(1) No change.

(2) All advanced registered nurse practitioner services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Advanced Registered Nurse Practitioner Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated

by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.907, 409.908, 409.9081 FS. History--New 12-21-80, Formerly 10C-7.52, Amended 8-18-92, Formerly 10C-7.052, Amended 8-22-96, 3-11-98, 10-13-98, 6-8-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lynne Metz

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Pat Moore, Interim Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2004

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

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE TITLE: Birth Center Services
RULE NO.: 59G-4.030

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the current Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, January 2004.

SUMMARY: The purpose of this rule amendment is to incorporate by reference in the rule the revised Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, January 2004. The coverage and limitations handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new procedure codes, and updated fee schedules effective January 2004.

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

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

SPECIFIC AUTHORITY 409.919 FS.
LAW IMPLEMENTED 383.335, 409.906, 409.907, 409.908, 409.9081 FS.

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

TIME AND DATE: 9:00 a.m. – 11:00 a.m., May 11, 2004
PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lynne Metz, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.030 Birth Center Services.

(1) No change.

(2) All birth center services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Birth Center and Licensed Midwife Services Coverage and Limitations Handbook, January 2004 ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMSHCFA-1500 and Child Health Check-Up 221, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 383.335, 409.906, 409.907, 409.908, 409.9081 FS. History--New 4-18-85, Formerly 10C-7.532, Amended 8-18-92, Formerly 10C-7.0532, Amended 4-22-96, 3-11-98, 10-13-98, 5-24-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lynne Metz

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Pat Moore, Interim Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2004

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

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE TITLE: Physician Services
RULE NO.: 59G-4.230

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2004. The effect will be to incorporate by reference in the rule the current Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2004.

SUMMARY: The purpose of this rule amendment is to incorporate by reference in the rule the revised Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2004. The coverage and limitations handbook revisions include global HIPAA language, modifications in procedure code and claim form combinations due to HIPAA, policy to reflect new physician procedure codes, and updated fee schedules effective January 2004.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 FS.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lynne Metz, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7325

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.230 Physician Services.

(1) No change.

(2) All physician services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Services Coverage and Limitations Handbook, ~~January 2004~~ ~~March 2003~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, ~~CMSHCFA-1500~~ ~~and Child Health Check-Up 221~~, which is incorporated by reference in Rule 59G-4.0015-020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, ~~409.907~~, 409.908, 409.9081 FS. History—New 1-1-77, Revised 2-1-78, 4-1-78, 1-2-79, 1-1-80, Amended 2-8-82, 3-11-84, Formerly 10C-7.38, Amended 1-10-91, 11-5-92, 1-7-93, Formerly 10C-7.038, Amended 6-29-93, 9-6-93, Formerly 10P-4.230, Amended 6-13-94, 2-9-95, 3-10-96, 5-28-96, 3-18-98, 9-22-98, 8-25-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lynne Metz

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Pat Moore

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE TITLE:

Time for Payment of Civil Penalties

RULE NO.:

61G7-4.003

PURPOSE AND EFFECT: This rule is being amended to clarify when the payment of a penalty must be made.

SUMMARY: This Rule sets forth the time and method of payment when a civil penalty is imposed on a licensee for a violation of Chapters 455 and/or 468, F.S.

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

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

SPECIFIC AUTHORITY: 455.227(3) FS.

LAW IMPLEMENTED: 120.53, 455 227(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony B. Spivey, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, FL 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-4.003 Time for Payment of Civil Penalties.

(1) In cases where the Board imposes a civil penalty for violation of Chapter 455 or Chapter 468, F.S., or of the rules promulgated thereunder, the penalty shall be paid within 30 days of ~~the filing of the Board's order its imposition by order of the Board.~~

(2) No change.

Specific Authority 455.227(3) FS. Law Implemented 120.53, 455.227(3) FS. History—New 4-29-92, Formerly 21EE-4.003, Amended _____.

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

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE TITLE:

Definitions

PURPOSE AND EFFECT: This rule is being amended to remove definitions which are no longer necessary, to add definitions that are necessary, and to clarify other definitions relative to the employee leasing company rules.

RULE NO.:

61G7-6.001

SUMMARY: This rule defines what is meant by the terms utilized in the employee leasing company rules.

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

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

SPECIFIC AUTHORITY: 468.520, 468.522, 468.525 FS.

LAW IMPLEMENTED: 468.520, 468.522, 468.525(4),(4)(b), 468.529(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, FL 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-6.001 Definitions.

To enable the Board and the Department to administer Part XI of Chapter 468, F.S., the Board hereby interprets the following terms as used in the definition of employee leasing as follows:

~~(1) "Actively involved" as used in Section 468.520(7), F.S., to determine whether an entity is an employee leasing company, the Board interprets actively involved to mean the actual exercise of duties on behalf of an employee leasing company. Any natural person who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of any employee leasing company, through direct or indirect control of 50 percent or more of the voting securities of an employee leasing company, is deemed actively involved.~~

~~(2) "Employment responsibilities" as used in Section 468.525(4), F.S., means all those responsibilities generally incumbent on an employer, including payment of wages and taxes and the right to hire, direct, control, discipline, and terminate employees.~~

~~(1)(3) "Full Responsibility" as used herein to determine whether an employee leasing company's contractual arrangements comply with the conditions as set forth in Section 468.525(4), F.S., means complete and total responsibility for the collection of and payment of all payroll taxes on payroll reported to and paid by the employee leasing company, which are payable to the Internal Revenue Service and/or to the State of Florida for services performed by leased employees as leased employees.~~

(4) through (5) renumbered (2) through (3) No change.

~~(6) "Long-term ongoing nature" means a situation where a client company and an employee leasing company arrange for leased employees to do more than supplement the client company's workforce in special work situations, such as employee absences, temporary skill shortages, seasonal workloads, and special assignments and projects. This definition in no way is meant to alter the concept of at-will employment.~~

(7) through (10) renumbered (4) through (7) No change.

(8) "Reserves a night of direction an control over leased employees assigned to the client's location" does not require the actual exercise of such direction and control by the employee leasing company at the jobsite at which or from which leased employees work. The client shall be allowed to exercise such direction and control as may be allocated to the client, in writing, and in conformity with Florida law.

(9) "Retains authority to hire, terminate, discipline, and reassign the leased employees" does not require the actual exercise of such authority by the employee leasing company at the jobsite at which or from which the leased employees work. The client shall be allowed to exercise such authority as may be allocated to the client, in writing, and in conformity with Florida Law.

(10) Retains a right of discretion and control over management of safety, risk, and hazard control at the worksite or sites affecting its leased employees, including:

(a) Responsibility for performing safety inspections of client equipment and premises.

(b) Responsibility for the promulgation an administration of employment and safety policies.

(c) Responsibility for the management of workers' compensation claims, claims filings, and related procedures does not require the actual exercise of such direction an control by the employee leasing company at the worksite at which or from which the leased employees work. The client shall be allowed to exercise such direction and control as may be allocated to the client, in writing, and in conformity with Florida law.

(11) "Assumes responsibility for the payment of wages" as used in Section 468.525(4)(b), F.S., means the obligation of the employee leasing company to comply with the terms of employment established by the employee leasing company with an employee relating to the payment of wages of the employee. The term does not include any obligation on the part of the employee leasing company to assume any contractual obligation which may exist between a client of an employee leasing company and any leased employee, or any other compensation or benefit, in any form, unless the employee leasing company specifically adopts such obligations by way of a written agreement entered into with the leased employee.

Specific Authority 468.520, 468.522, 468.525 FS. Law Implemented 468.520, 468.522, 468.525(4), 468.529(1) FS. History—New 7-20-92, Formerly 21EE-6.001, Amended 9-14-93, 10-24-94, 7-18-95, 4-26-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Employee Leasing Companies
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Employee Leasing
Companies
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 11, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 30, 2004

PENALTY RANGE
VIOLATION MINIMUM MAXIMUM
(a) through (w) No change.

(x) Failure to maintain positive working capital, or accounting net worth in violation of Section 468.525(3)(d), F.S.	Reprimand, probation and administrative/legal costs.	Suspension, denial or revocation of license and administrative/legal costs.
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE TITLE: Disciplinary Guidelines; Range of Penalties
RULE NO.: 61G7-7.001

PURPOSE AND EFFECT: The Board is amending this rule to add the requirement of maintaining positive accounting net worth pursuant to Section 468.525(3)(d), F.S.

SUMMARY: This rule sets forth the disciplinary guidelines and range of penalties for violating the laws and rules of the Board of Employee Leasing Companies.

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

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

SPECIFIC AUTHORITY: 468.522 FS.

LAW IMPLEMENTED: 455.227, 468.531, 468.532 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, FL 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-7.001 Disciplinary Guidelines; Range of Penalties.

(1) through (b) No change.

(2) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

(y) through (ss) No change.

(3) through (6) No change.

Specific Authority 468.522 FS. Law Implemented 468.531, 468.532, 455.227 FS. History—New 5-20-93, Formerly 21EE-7.001, Amended 5-29-94, 12-19-94, 11-9-95, _____.

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

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE TITLE: Advertising
RULE NO.: 61G7-11.001

PURPOSE AND EFFECT: This rule is being amended to add the advertising medium of internet websites.

SUMMARY: This rule sets out the approved means of advertising.

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

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

SPECIFIC AUTHORITY: 468.522, 468.530(4) FS.

LAW IMPLEMENTED: 468.530(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, FL 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G7-11.001 Advertising.
- (1) through (1)(h) No change.
- (i) Any employee leasing company official website.
- (2) through (3) No change.

Specific Authority 468.522 FS. Law Implemented 468.530(4) FS. History--New 10-6-94, Amended 3-28-95,_____.

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

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: _____ RULE NO.:

Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States 61G7-33.0065

PURPOSE AND EFFECT: This rule is created pursuant to statute to set out exemption and renewal criteria for spouses of members of the armed forces who are required to be away on military duty.

SUMMARY: This rule sets out the criterial for obtaining the exemption for spouses of members of the armed forces who are on active military duty.

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

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

SPECIFIC AUTHORITY: 455.02(2) FS.

LAW IMPLEMENTED: 455.02(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-33.0065 Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States.

Spouses of members of the Armed Forces of the United States are exempt from licensure renewal provisions, but only in cases of absence from the state because of their spouse's duties with the Armed Forces. Copies of the military orders requiring the change in duty station must be sent to the Board office in order to qualify for the exemption. Upon receipt of the military orders by the Board office confirming exemption eligibility, the spouse's license will be placed on inactive status with no fee required.

Specific Authority 455.02(2) FS. Law Implemented 455.02(2) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 2, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 2004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: _____ RULE NO.:

Foreign Degrees 61G15-20.007

PURPOSE AND EFFECT: This rule is being amended to add Foreign Credentials Service of America as an approved transcript evaluation service for reviewing foreign credentials. SUMMARY: This rule sets forth the criteria for applicants with foreign degrees to prove substantial equivalency to the statutory requirements of Florida.

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

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

SPECIFIC AUTHORITY: 471.008 FS.

LAW IMPLEMENTED: 471.013, 471.015 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-20.007 Foreign Degrees.

(1) through (3) No change.

(4) The applicant must request an evaluation of substantial equivalency of his or her credentials to ABET standards through either Engineering Credentials Evaluation International, 111 Market Place, #171, Baltimore, Maryland 21202; Foreign Credentials Service of America, 1910 Justin Lane, Austin, Texas 78757-2411; or P. O. Box 13084, Baltimore, MD 21203-3084, Joseph Silny & Associates, Inc., P. O. Box 248233, Coral Gables, Florida 33124.

(5) through (6) No change.

Specific Authority 471.008 FS. Law Implemented 471.013, 471.015 FS. History—New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02, 6-13-02, 6-30-02, 10-2-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 12, 2004

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States

RULE NO.: 61G17-1.020

PURPOSE AND EFFECT: This rule is being enacted pursuant to Section 455.02(2), F.S., relating to spouses of active duty military.

SUMMARY: This rule sets out the requirements to claim exemption of renewal requirements when spouses are on active duty in the armed forces.

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

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

SPECIFIC AUTHORITY: 455.02(2) FS.

LAW IMPLEMENTED: 455.02(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Knap, Executive Director, Board of Professional Surveyors and Mappers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-1.020 Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States. Spouses of members of the Armed Forces of the United States are exempt from licensure renewal provisions, but only in cases of absence from the state because of their spouses' duties with the Armed Forces. Copies of the military orders requiring the change in duty station must be sent to the Board office in order to qualify for the exemption. Upon receipt of the military orders by the Board office confirming exemption eligibility, the spouse's license will be placed on inactive status with no fee required. Reactivation of the inactive license will not require payment of the fee set forth in subsection 61G17-8.0011(7), F.A.C. The license will remain in inactive status for up to two renewal cycles at which time the licensee must either renew this exemption, before expiration, by submitting a current set of orders establishing eligibility for the exemption or reactivate the license. The licensee may reactivate the license by submitting an application for change of status from inactive to active and will not be required to pay the fee set forth in subsection 61G17-8.0011(15), F.A.C., nor be required to comply with any rules setting conditions for reactivation of licensure, including continuing education requirements imposed by Section 455.271(10), F.S. If a license is not reactivated nor the exemption renewed by the expiration date, the license shall become delinquent. Reactivation of the delinquent license will not require payment of the fee set forth in subsection 61G17-8.0011(12), F.A.C.

Specific Authority 455.02(2) FS. Law Implemented 455.02(2) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 18, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 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 Physical Therapy Practice

RULE TITLE: Requirements for Reactivation of an Inactive License
 RULE NO.: 64B17-5.001

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

SUMMARY: The Board sets forth four requirements for reactivation of an inactive license to include, for each year of inactivity and for the year that the licensee last held an active license, documentation of required continuing education, HIV/AIDS courses, and medical error prevention courses.

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: 486.025, 486.085, 486.108, 456.036 FS.

LAW IMPLEMENTED: 486.085, 486.108, 456.036 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 Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B17-5.001 follows. See Florida Administrative Code for present text.)

64B17-5.001 Requirements for Reactivation of an Inactive License.

An inactive license shall be reactivated upon demonstration that the licensee has paid the reactivation fee, the biennial renewal fee for an active license, and if applicable, a change of status and/or delinquency fee, provided that the licensee has:

- (1) Documented completion of 10 hours of continuing education of formal approved study pertinent to practice for each year the license was inactive. No more than 6 hours of continuing education may be home study per year of inactive status.

- (2) Documented completion of the required HIV/AIDS course as prescribed in Rule 64B17-8.001, F.A.C., for each biennium the license was inactive.

- (3) Documented completion of the required medical errors prevention courses as prescribed in Rule 64B17-8.002, F.A.C., for each biennium after the effective date of the statutory requirement while the license was inactive.

- (4) Documented proof of completion of 24 hours of approved continuing education as provided in Rule 64B17-9.001, F.A.C., including HIV/AIDS and medical errors prevention for the preceding biennium during which the licensee held an active license.

Specific Authority 486.025, 486.085, 486.108, 456.036 FS. Law Implemented 486.085, 486.108, 456.036 FS. History—New 8-6-84, Formerly 21M-8.11, Amended 9-22-87, 12-30-87, 6-20-89, Formerly 21M-8.011, Amended 3-24-93, Formerly 21MM-5.001, 61F11-5.001, Amended 12-22-94, 4-4-95, 8-16-95, 7-1-97, Formerly 59Y-5.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED: December 12, 2003

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE TITLE: Continuing Education
 RULE NO.: 64B17-9.001

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

SUMMARY: Licensee's may receive continuing education credit for attending Board meetings where discipline occurs. Panel members may receive five hours of continuing education for their service, and all licensees must retain continuing education documents for four years.

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: 486.025 FS.

LAW IMPLEMENTED: 456.013(6), 486.109(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 Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

67-8.002 Definitions.

Specific Authority 420.507(12) FS. Law Implemented 420.503 FS. History–New 6-16-82, Amended 11-9-82, Formerly 91-8.02, 91-8.002, Repealed.

67-8.003 Issuance of Revenue Bonds.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508, 420.509, 420.51, 215.68, 215.84 FS. History–New 6-16-82, Formerly 91-8.03, 91-8.003, Repealed.

67-8.004 Interest Rate on Program Loans.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508, 420.509 FS. History–New 6-16-82, Formerly 91-8.04, 91-8.004, Repealed.

67-8.005 Transfer of Single-Family Residence by Eligible Borrower.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History–New 6-16-82, Formerly 91-8.05, 91-8.005, Repealed.

67-8.006 Notice of Program.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History–New 6-16-82, Formerly 91-8.06, 91-8.006, Repealed.

67-8.007 Allocation of Proceeds.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.508 FS. History–New 6-16-82, Formerly 91-8.07, 91-8.007, Repealed.

67-8.008 Builders’ Commitments.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.508 FS. History–New 6-16-82, Amended 11-9-82, Formerly 91-8.08, 91-8.008, Repealed.

67-8.009 Commitment Period.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.508 FS. History–New 6-16-82, Formerly 91-8.09, 91-8.009, Repealed.

67-8.010 Program Fees.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.508 FS. History–New 6-16-82, Formerly 91-8.10, 91-8.010, Repealed.

67-8.011 Loan Processing.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.508 FS. History–New 6-16-82, Formerly 91-8.11, 91-8.011, Repealed.

67-8.012 Program Documents.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History–New 6-16-82, Formerly 91-8.12, 91-8.012, Repealed.

67-8.013 Procedure for Reallocation of Single-Family Mortgage Revenue Bond Quotas to Local Agencies.

Specific Authority 420.503, 420.507(12) FS. Law Implemented 420.507, 420.508, 420.509 FS. History–New 11-9-82, Formerly 91-8.13, 91-8.013, Repealed.

67-8.014 Criteria for Considering and Evaluating Requests for Reallocation.

Specific Authority 420.507 FS. Law Implemented 420.507, 420.508, 420.509, Ch. 159 (Part IV) FS. History–New 11-9-82, Formerly 91-8.14, 91-8.014, Repealed.

67-8.015 Notice of Reallocation.

Specific Authority 420.507 FS. Law Implemented 420.507, 420.508 FS. History–New 11-9-82, Formerly 91-8.15, 91-8.015, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Bridget Warring

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Esrone McDaniels

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:

Definitions

Eligible Mortgage Loans

RULE NOS.:

67-11.002

67-11.007

PURPOSE, EFFECT AND SUMMARY: This rule established

procedures to address Florida Housing Finance Corporation’s administration of the Multi-Family Housing Revenue Bond Certificate of Deposit Program. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE

PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-11.002 Definitions.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 402.503, 420.507, 420.508 FS. History–New 4-7-83, Formerly 91-11.02, 91-11.002, Repealed.

67-11.007 Eligible Mortgage Loans.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 402.503, 420.507, 420.508 FS. History–New 4-7-83, Formerly 91-11.07, 91-11.007, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

David Westcott

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Wayne Conner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Purpose	67-12.001
Definitions	67-12.002
Application	67-12.003
Application Fee	67-12.004
Notice Requirements	67-12.005
Hearing Location	67-12.006
Record of Hearing	67-12.007
Recommendation	67-12.008
Hearing Procedures	67-12.009

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the Tax Equity and Fiscal Responsibility Act –Hearing Procedures. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.503, 420.508 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: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULE IS:

67-12.001 Purpose.

Specific Authority 420.507(12) FS. Law Implemented 120.54, 120.57, 420.507 FS. History–New 8-7-83, Formerly 91-12.01, 91-12.001, Repealed.

67-12.002 Definitions.

Specific Authority 420.507(12) FS. Law Implemented 120.54, 120.57, 420.507 FS. History–New 8-7-83, Formerly 91-12.02, 91-12.002, Repealed.

67-12.003 Application.

Specific Authority 120.53, 120.54, 420.507(12) FS. Law Implemented 420.507(12),(21), 420.508 FS. History–New 8-7-83, Formerly 91-12.03, 91-12.003, Repealed.

67-12.004 Application Fee.

Specific Authority 420.507(4), (12) FS. Law Implemented 420.507(4) FS. History–New 8-7-83, Formerly 67-12.04, Amended 8-6-91, Formerly 91-12.004, Repealed.

67-12.005 Notice Requirement.

Specific Authority 120.53, 120.54, 420.507(12), (21) FS. Law Implemented 120.54, 420.507(12) FS. History–New 8-7-83, Formerly 91-12.05, 91-12.005, Repealed.

67-12.006 Hearing Location.

Specific Authority 420.502, 420.507(12), 420.53 FS. Law Implemented 120.53, 120.54, 420.507(12) FS. History–New 8-7-83, Amended 4-25-84, Formerly 91-12.06, 91-12.006, Repealed.

67-12.007 Record of Hearing.

Specific Authority 120.53, 120.54, 420.507(12), (21) FS. Law Implemented 120.53, 120.54, 420.507(12) FS. History–New 8-7-83, Formerly 91-12.07, 91-12.007, Repealed.

67-12.008 Recommendation.

Specific Authority 120.53, 120.54, 420.507(12), (21) FS. Law Implemented 120.53, 120.54, 420.507(12) FS. History–New 8-7-83, Formerly 91-12.08, 91-12.008, Repealed.

67-12.009 Hearing Procedures.

Specific Authority 120.53, 120.54, 420.507(12), (21) FS. Law Implemented 120.53, 120.54, 420.507(12) FS. History–New 8-7-83, Formerly 91-12.09, 91-12.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Westcott

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wayne Conner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-13.002
Eligible Mortgage Loans	67-13.009

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the Multi-Family Housing Revenue Bond Third Party Guarantee Program. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-13.002 Definitions.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.503, 420.507, 420.508 FS. History–New 12-4-83, Formerly 91-13.02, 91-13.002, Repealed.

67-13.009 Eligible Mortgage Loans.

Specific Authority 420.507(12) FS. Law Implemented 420.507(9) FS. History–New 12-4-83, Formerly 91-13.09, 91-13.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Westcott

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wayne Conner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-14.002
Private Mortgage Insurance	67-14.011
Waiver of Repayment Terms Under Mortgage	67-14.0131
Program Documents	67-14.014
No Discrimination	67-14.015
Transfer of Single-Family Residence	

by Eligible Borrower 67-14.0151 Appeals 67-14.016

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the Single-Family Residential Mortgage Revenue Bond Program. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS. LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-14.002 Definitions.

Specific Authority 420.507(12) FS. Law Implemented 420.503 FS. History–New 12-8-83, Amended 9-13-84, Formerly 91-14.02, 91-14.002, Repealed.

67-14.011 Private Mortgage Insurance

Specific Authority 420.507(12) FS. Law Implemented 420.507(11),(18),(21), 420.508 FS. History–New 12-8-83, Formerly 91-14.11, 91-14.011, Repealed.

67-14.0131 Waiver of Repayment Terms Under Mortgage.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History–New 9-13-84, Formerly 91-14.131, 91-14.0131, Repealed.

67-14.014 Program Documents.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History–New 12-8-83, Formerly 91-14.14, 91-14.014, Repealed.

67-14.015 No Discrimination.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507(14),(21) FS. History–New 12-8-83, Formerly 91-14.15, 91-14.015, Repealed.

67-14.0151 Transfer of Single-Family Residence by Eligible Borrower.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History–New 9-13-84, Formerly 91-14.151, 91-14.0151, Repealed.

67-14.016 Appeals.

Specific Authority 420.507(12) FS. Law Implemented 420.503, 420.507, 420.508, Ch. 120 FS. History–New 12-8-83, Formerly 91-14.16, 91-14.016, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Westcott

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wayne Conner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-19.002
Private Mortgage Insurance	67-19.011
Waiver of Repayment Terms under Mortgage	67-19.014
Transfer of Single-Family Residence	
by Eligible Borrower	67-19.015

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the Single-Family Lower Income Borrower Residential Mortgage Revenue Bond Program. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS. LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-19.002 Definitions.

Specific Authority 420.507(12) FS. Law Implemented 420.503 FS. History–New 2-10-85, Amended 8-11-85, Formerly 9I-19.02, 9I-19.002, Repealed _____.

67-19.011 Private Mortgage Insurance.

Specific Authority 420.507(12) FS. Law Implemented 420.507(11),(18),(21), 420.508 FS. History–New 2-10-85, Amended 8-11-85, Formerly 9I-19.11, 9I-19.011, Repealed _____.

67-19.014 Waiver of Repayment Terms under Mortgage.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History–New 2-10-85, Amended 10-29-85, Formerly 9I-19.14, 9I-19.014, Repealed _____.

67-19.015 Transfer of Single-Family Residence by Eligible Borrower.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507, 420.508 FS. History–New 2-10-85, Amended 10-29-85, Formerly 9I-19.15, 9I-19.015, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bridget Warring

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Esrone McDaniels

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-28.002
General Program Restrictions	67-28.004
Terms and Conditions of Loans	67-28.006
Adjustments for Family Size	67-28.009
Right to Inspect and Monitor Funded Projects	67-28.012
Fees	67-28.013

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the State Apartment Incentive Loan (SAIL) Program. The current rules that govern the SAIL program are under Chapter 67-48, F.A.C. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its SAIL programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.503, 420.507, 420.5087 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-28.002 Definitions.

Specific Authority 420.507(22)(f) FS. Law Implemented 420.503, 420.507, 420.5087 FS. History–New 10-27-88, Amended 9-11-89, 5-2-91, Formerly 9I-28.002, Repealed _____.

67-28.004 General Program Restrictions.

Specific Authority 420.507(22)(f) FS. Law Implemented 420.507, 420.5087 FS. History–New 10-27-88, Amended 9-11-89, 5-2-91, Formerly 9I-28.004, Repealed _____.

67-28.006 Terms and Conditions of Loans.

Specific Authority 420.507(22)(f) FS. Law Implemented 420.507, 420.5087 FS. History–New 10-27-88, Amended 9-11-89, 5-2-91, Formerly 9I-29.006, Repealed _____.

67-28.009 Adjustments for Family Size.

Specific Authority 420.507(22)(f),(g) FS. Law Implemented 420.5087(2) FS. History–New 10-27-88, Formerly 9I-28.009, Repealed _____.

67-28.012 Right to Inspect and Monitor Funded Projects.

Specific Authority 420.507(22)(f),(g) FS. Law Implemented 420.507(14) FS. History–New 10-27-88, Formerly 9I-28.012, Repealed _____.

67-28.013 Fees.

Specific Authority 420.507(22)(f) FS. Law Implemented 420.507, 420.5087 FS. History–New 10-27-88, Amended 9-11-89, 5-2-91, Formerly 9I-28.013, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Vicki Robinson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steve Auger

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLE:	RULE NO.:
Reallocation for Disaster Areas	67-34.0045

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the Home Investment Partnerships Program. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5089 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULE IS:

67-34.0045 Reallocation for Disaster Areas.

Specific Authority 420.507(12) FS. Law Implemented 420.5089(2) FS. History—New 2-1-96, Formerly 91-34.0045, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Vicki Robinson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steve Auger

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Purpose	67-36.001
Definitions	67-36.002
Application for Corporation Loans	67-36.003
Selection Criteria and Guidelines for Corporation Selection of Developer Application	67-36.004
Selection of Qualified Lending Institutions as Originators or Servicers	67-36.005
Project Requirements	67-36.006
Cost of Issuance Fee	67-36.007
Loan Provisions	67-36.008
Interest Rate on Mortgage Loans	67-36.009
Issuance of Revenue Bonds	67-36.010
No Discrimination	67-36.011
Advertisements	67-36.012

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation's administration of the Multi-Family Insured Taxable Revenue Bond Program. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation's administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.5078, 420.508, 420.509 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-36.001 Purpose.

Specific Authority 420.507(12) FS. Law Implemented 420.507(6), (14), 420.508(1)(a) FS. History—New 3-24-93, Formerly 91-36.001, Repealed.

67-36.002 Definitions.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.503, 420.507, 420.508, 420.509, 159.823, 159.825, 159.826, 159.828 FS. History—New 3-24-93, Formerly 91-36.002, Repealed.

67-36.003 Application for Corporation Loans.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507(4),(21), 420.508 FS. History—New 3-24-93, Formerly 91-36.003, Repealed.

67-36.004 Selection Criteria and Guidelines for Corporation Selection of Developer Application.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507(4),(12),(19),(21), 420.508 FS. History—New 3-24-93, Formerly 91-36.004, Repealed.

67-36.005 Selection of Qualified Lending Institutions as Originators or Servicers.

Specific Authority 420.507(12) FS. Law Implemented 420.507(18),(20) FS. History—New 3-24-93, Formerly 91-36.005, Repealed.

67-36.006 Project Requirements.

Specific Authority 420.507(12) FS. Law Implemented 420.507(9),(11),(14),(21), 420.508 FS. History—New 3-24-93, Formerly 91-36.006, Repealed.

67-36.007 Cost of Issuance Fee.

Specific Authority 420.507(12) FS. Law Implemented 420.507(4), (19) FS. History—New 3-24-93, Formerly 91-36.007, Repealed.

67-36.008 Loan Provisions.

Specific Authority 420.507(12) FS. Law Implemented 420.503(7), 420.507, 420.507(4),(5),(6),(9),(11),(14),(16),(18),(19),(20),(21) FS. History—New 3-24-93, Formerly 91-36.008, Repealed.

67-36.009 Interest Rate on Mortgage Loans.

Specific Authority 420.507(12) FS. Law Implemented Chapter 75, 420.507, 420.5078 FS. History—New 3-24-93, Formerly 91-36.009, Repealed.

67-36.010 Issuance of Revenue Bonds.

Specific Authority 420.507(12) FS. Law Implemented 420.507, 420.509 FS. History—New 3-24-93, Formerly 91-36.010, Repealed.

67-36.011 No Discrimination.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507(14),(21) FS. History—New 3-24-93, Formerly 91-36.011, Repealed.

67-36.012 Advertisements.

Specific Authority 420.507(12) FS. Law Implemented 420.507(12),(22) FS. History—New 3-24-93, Formerly 91-36.012, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Westcott

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wayne Conner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-40.020
General Project Restrictions:	
Affordable Housing	67-40.070
Terms and Conditions of Loans	67-40.100
Construction Disbursements and Permanent Loan Servicing for Rental and Cooperative Housing Projects	67-40.110
Compliance Procedures	67-40.130
No Discrimination	67-40.140
Administrative Hearings	67-40.150

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the Home Investment Partnerships Program, Disaster Relief. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5089 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-40.020 Definitions.

Specific Authority 420.507(12) FS. Law Implemented 420.5089(1) FS. History–New 8-31-93, Amended 7-14-94, 11-20-94, Formerly 91-40.020, Repealed _____.

67-40.070 General Project Restrictions: Affordable Housing.

Specific Authority 420.507(12) FS. Law Implemented 420.5089(1) FS. History–New 8-31-93, Amended 7-14-94, 11-20-94, Formerly 91-40.070, Repealed _____.

67-40.100 Terms and Conditions of Loans.

Specific Authority 420.507(5), (12) FS. Law Implemented 420.5089(1) FS. History–New 8-31-93, Amended 7-14-94, 11-20-94, Formerly 91-40.100, Repealed _____.

67-40.110 Construction Disbursements and Permanent Loan Servicing for Rental and Cooperative Housing Projects.

Specific Authority 420.507(12) FS. Law Implemented 420.5089(1) FS. History–New 8-31-93, Amended 7-14-94, 11-20-94, Formerly 91-40.110, Repealed _____.

67-40.130 Compliance Procedures.

Specific Authority 420.507(12) FS. Law Implemented 420.5089(1) FS. History–New 8-31-93, Amended 7-14-94, 11-20-94, Formerly 91-40.130, Repealed _____.

67-40.140 No Discrimination.

Specific Authority 420.507(12) FS. Law Implemented 420.5089(1), 420.516 FS. History–New 8-31-93, Repromulgated 7-14-94, 11-20-94, Formerly 91-40.140, Repealed _____.

67-40.150 Administrative Hearings.

Specific Authority 420.507(12) FS. Law Implemented 420.5089(1) FS. History–New 8-31-93, Repromulgated 7-14-94, Amended 11-20-94, Formerly 91-40.150, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Vicki Robinson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Steve Auger

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-41.002
Corporation Solicitation and Selection of Minority Owned, Federally Insured Financial Institution and Not-For-Profit Housing Institutes to Originate and Service Loans	67-41.003
Loan Restrictions	67-41.004
Program Documents	67-41.005
Corporation Monitoring Requirements	67-41.006

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the Single Family Credit Deficiency Demonstration Loan Program. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: Section 1A, Chapter 93-184, Laws of Florida, Section 1A, 1994-95 General Appropriations Act, Specific Appropriation 329.

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: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-41.002 Definitions.

Specific Authority 420.507 FS. Law Implemented Section 1A, Chapter 93-184, Laws of Florida, Section 1A, 1994-95 General Appropriations Act, Specific Appropriation 329. History–New 10-18-93, Amended 8-3-95, Formerly 91-41.002, Repealed _____.

67-41.003 Corporation Solicitation and Selection of Minority Owned, Federally Insured Financial Institution and Not-For-Profit Housing Institutes to Originate and Service Loans.

Specific Authority 420.507 FS. Law Implemented Section 1A, Chapter 93-184, Laws of Florida, Section 1A, 1994-95 General Appropriations Act, Specific Appropriation 329. History–New 10-18-93, Amended 8-3-95, Formerly 91-41.003, Repealed.

67-41.004 Loan Restrictions.

Specific Authority 420.507 FS. Law Implemented Section 1A, Chapter 93-184, Laws of Florida, Section 1A, 1994-95 General Appropriations Act, Specific Appropriation 329. History–New 10-18-93, Amended 8-3-95, Formerly 91-41.004, Repealed.

67-41.005 Program Documents.

Specific Authority 420.507 FS. Law Implemented Section 1A, Chapter 93-184, Laws of Florida, Section 1A, 1994-95 General Appropriations Act, Specific Appropriation 329. History–New 10-18-93, Amended 8-3-95, 1-15-96, Formerly 91-41.005, Repealed.

67-41.006 Corporation Monitoring Requirements.

Specific Authority 420.507 FS. Law Implemented Section 1A, Chapter 93-184, Laws of Florida, Section 1A, 1994-95 General Appropriations Act, Specific Appropriation 329. History–New 10-18-93, Amended 8-3-95, Formerly 91-41.006, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bridget Warring

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Esrone McDaniels

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Purpose	67-42.001
Definitions	67-42.002
Corporation Participation	67-42.003

PURPOSE, EFFECT AND SUMMARY: This Rule established procedures to address Florida Housing Finance Corporation’s administration of the Single Family Lease-Ownership Revenue Bond Program. These rules are redundant and obsolete of the current rules. The repeal of these rules will increase the efficiency and effectiveness of Florida Housing Finance Corporation’s administration of its programs.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.507 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

THE FULL TEXT OF THE PROPOSED RULES IS:

67-42.001 Purpose.

Specific Authority 420.507 FS. Law Implemented 420.507 FS. History–New 11-9-93, Formerly 91-42.001, Repealed.

67-42.002 Definitions.

Specific Authority 420.507 FS. Law Implemented 420.507 FS. History–New 11-9-93, Formerly 91-42.002, Repealed.

67-42.003 Corporation Participation.

Specific Authority 420.507 FS. Law Implemented 420.507 FS. History–New 11-9-93, Formerly 91-42.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bridget Warring

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Esrone McDaniels

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2004

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers’ Compensation

RULE TITLES:	RULE NOS.:
Florida Workers’ Compensation Health Care Provider Reimbursement Manual	69L-7.020
Florida Workers’ Compensation Reimbursement Manual for Hospitals	69L-7.501

PURPOSE AND EFFECT: To amend Rule 69L-7.020, F.A.C., to adopt the new versions of the Florida Workers’ Compensation Health Care Provider Reimbursement Manual, 2004 Second Edition; the Physicians’ Current Procedural Terminology (CPT®), 2004 Professional Edition, Copyright 2003, American Medical Association; and the American Medical Association “Healthcare Common Procedure Coding System, Medicare’s National Level II Codes, HCPCS 2004”, Sixteenth Edition, Copyright 2003, Ingenix Publishing Group. To amend Rule 69L-7.501, F.A.C., to adopt the Florida Workers’ Compensation Reimbursement Manual for Hospitals, 2004 Second Edition, and incorporate the Florida Workers’ Compensation Health Care Reimbursement Manual, 2004 Second Edition. These amendments are made to comply with Chapter Law 2003-412 (SB-50A), incorporate 2004 updates to Medicare values, and implement the reimbursement rates adopted by the three-member Panel pursuant to Section 440.13(12), F.S., at its meeting on October 2, 2003.

SUMMARY: To amend Rule 69L-7.020, F.A.C., to adopt the new versions of the Florida Workers’ Compensation Health Care Provider Reimbursement Manual, 2004 Second Edition; the Physicians’ Current Procedural Terminology (CPT®), 2004 Professional Edition, Copyright 2003, American Medical Association; and the American Medical Association “Healthcare Common Procedure Coding System, Medicare’s National Level II Codes, HCPCS 2004, Sixteenth Edition, Copyright 2003, Ingenix Publishing Group. To amend Rule

69L-7.501, F.A.C., to adopt the Florida Workers' Compensation Reimbursement Manual for Hospitals, 2004 Second Edition, and incorporate the Florida Workers' Compensation Health Care Reimbursement Manual, 2004 Second Edition. These amendments are made to comply with Chapter Law 2003-412 (SB-50A), incorporate 2004 updates to Medicare values, and implement the reimbursement rates adopted by the Three-member Panel pursuant to Section 440.13(12), F.S., at its meeting on October 2, 2003.

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: 440.591, 440.13(14)(b) FS.

LAW IMPLEMENTED: 440.13(7),(12),(14) 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: 9:00 a.m., May 11, 2004

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Don Davis, Office of Data Quality and Collection, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, (850)413-1711

THE FULL TEXT OF THE PROPOSED RULES IS:

69L-7.020 Florida Workers' Compensation Health Care Provider Reimbursement Manual.

(1) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2004 Second Edition, is adopted by reference as part of this rule. The manual contains reimbursement policies, guidelines, codes and maximum reimbursement allowances for medical services and supplies provided by health care providers. Also, the ~~The~~ manual includes ~~provides~~ reimbursement policies and payment methodologies for pharmacists and medical suppliers. The Florida Workers' Compensation Health Care Provider Reimbursement Manual, incorporated above, is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing

Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.fldfs.com>.

(2) The Physicians' Current Procedural Terminology (CPT®), 2004 ~~2003~~ Professional Edition, Copyright 2003 ~~2002~~, American Medical Association; the Current Dental Terminology (CDT-4), Fourth Edition, Copyright 2002, American Dental Association; and for D codes and for injectable J codes, and for other medical services and supply codes, the American Medical Association "Healthcare Common Procedure Coding System, Medicare's National Level II Codes, HCPCS 2004 ~~2003~~", Sixteenth ~~Fifteenth~~ Edition, Copyright 2003 ~~2002~~, Ingenix Publishing Group, are adopted by reference as part of this rule. When a health care provider performs a procedure or service, which is not listed in the Florida Workers' Compensation Health Care Provider Reimbursement Manual, incorporated in subsection (1) above, the provider must use a code contained in the CPT®, CDT-4 or HCPCS section as specified.

Specific Authority 440.591 FS. Law Implemented 440.13(7),(12),(14) FS. History—New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.020, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, _____.

69L-7.501 Florida Workers' Compensation Reimbursement Manual for Hospitals.

(1) The Florida Workers' Compensation Reimbursement Manual for Hospitals, 2004 Second Edition is adopted by reference as part of this rule. The manual contains reimbursement policies and per diem rates for hospital services and supplies.

(2) Form DWC-90, also known as the UB-92, or HCFA-1450, is hereby incorporated by reference as part of this rule. The Florida Workers' Compensation Health Care Provider Reimbursement Manual 2004, Second Edition is incorporated by reference as part of this rule also. The reimbursement policies, billing codes and maximum reimbursement allowances for physical therapy, ~~radiology~~, occupational therapy, speech therapy, radiology and clinical laboratory services contained in the manual shall be applied to hospital services provided on an outpatient basis only.

(3) The Florida Workers' Compensation Reimbursement Manual for Hospitals, incorporated in subsection (1) above, is available for inspection during normal business hours, at the State of Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's website at <http://www.fldfs.com>.

Specific Authority 440.591, 440.13(14)(b) FS. Law Implemented 440.13(7),(12),(14) FS. History—New 6-9-87, Amended 6-1-92, 10-27-99, 7-3-01, Formerly 38F-7.501, Amended 1-1-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Don Davis, Office of Data Quality and Collection, Division of Workers' Compensation, Department of Financial Services
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tanner Holloman, Director of Workers' Compensation, Department of Financial Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 5, 2004

magnetic signs, provided that no pesticides or pesticide application equipment are carried in the vehicle. All vehicles used in the conduct of pest control that carry or contain pesticides or pesticide application equipment, shall be permanently marked. Magnetic signs are prohibited. This requirement may be waived by the Department for a period of time not to exceed fifteen (15) working days in authentic and verifiable emergencies when the licensee has given written notice to the Entomologist Inspector in the area describing the cause of the emergency, the vehicle being replaced, the substituting vehicle, and the anticipated termination date of the emergency.

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

Table with 2 columns: RULE CHAPTER NO. and RULE CHAPTER TITLE; RULE NOS. and RULE TITLES. Includes entries for Entomology - Pest Control Regulations, Licensee Identification - Vehicles, Equipment, and Responsibilities and Duties - Records Reports, Advertising, Applications.

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., published in Vol. 30, No. 7, February 13, 2004, issue of the Florida Administrative Weekly. These changes reflect comments received from the Joint Administrative Procedures Committee and comments received at the hearing on March 11, 2004.

THE RULE NOW READS AS FOLLOWS:

5E-14.103 Licensee Identification - Vehicles, Equipment. To assist the Department in enforcement of Chapter 482, F.S., and all regulations thereunder, the licensee shall identify all units or equipment used by him or in his behalf for pest control as follows:

- (1) All motor vehicles and all trailers used in behalf of or by any licensee or licensee's employees in the conduct of pest control shall be permanently marked for easy identification with the licensee's name or trade name, as registered with the Department. Vehicles shall be permanently marked except as provided below. The term "permanently marked" shall mean paint or decals applied to the vehicle body itself. Only those vehicles used exclusively for the purpose of sales and soliciting of business may be temporarily marked, including the use of

Specific Authority 482.051(2)(4) FS. Law Implemented 482.051(2)(4), 482.161, 482.191 FS., Section 1, Chapter 92-203, Laws of Florida. History--New 1-1-77, Joint Administrative Procedures Committee Objection Withdrawn - See FAW Vol. 3, No. 30, July 29, 1977, Amended 6-27-79, Formerly 10D-55.103.

5E-14.142 Responsibilities and Duties - Records Reports, Advertising, Applications.

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

(c) Termite or other wood-destroying organism inspection report:

Pursuant to Sections 482.226(1),(2),(4) and (5), F.S., each licensee having a certified operator in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings in the Wood-Destroying Organisms Inspection Report prescribed by the Department and furnished by the licensee, DACS 13645, Rev. 02/04 3/02, which is incorporated by reference. The licensee shall not place any disclaimers or additional language on the Wood Destroying Organisms Inspection Report. The licensee shall inspect for all wood-destroying organisms as defined in Section 482.021(28), F.S., in accordance with the following inspection standards:

1. through 2. No change.

3. The inspection shall include an examination for visual evidence of wood-decaying fungi and damage caused by wood-decaying fungi. Wood-decaying fungi are fungi that can cause damage to wood, such as those that produce white rot, brown rot, poria and cubical rot, but not surface molds that do not cause damage to sound wood.

Specific Authority 482.051 F.S. Law Implemented 482.061, 482.071, 482.091, 482.111(5),(9), 482.161(1)(g), 482.226(1),(2),(4),(5), and (6) FS. History--New 1-2-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steve Dwinell, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, (850)488-7447

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-1.0501	Definition of Instructional Staff
6A-1.0502	Noncertificated Instructional Personnel
6A-1.0503	Definition of Qualified Instructional Personnel

NOTICE OF HEARING CORRECTION

Notice is hereby given that the hearing of the State Board of Education to be held on April 20, 2004, regarding Proposed Rules 6A-1.0501 – Definition of Instructional Staff; 6A-1.0502 – Noncertificated Instructional Personnel; and 6A-1.0503 – Definition of Qualified Instructional Personnel; as noticed in Vol. 30, No. 12, March 19, 2004, Florida Administrative Weekly, and Proposed Rule 6A-10.060 – The Dale Hickam Excellent Teaching Program, as noticed in Vol. 30, No. 8, February 20, 2004, will be conducted via phone conference from 10:00 a.m. – 12:00 Noon on April 20, 2004.

A copy of the agenda as well as the conference phone number may be obtained from the Commissioner of Education’s website at <http://www.fldoe.org>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-10.060	Definition of Instructional Staff

NOTICE OF HEARING CORRECTION

Notice is hereby given that the hearing of the State Board of Education to be held on April 20, 2004, regarding Proposed Rule 6A-10.060 – The Dale Hickam Excellent Teaching Program, as noticed in Vol. 30, No. 8, February 20, 2004, will be conducted via phone conference from 10:00 a.m. – 12:00 Noon on April 20, 2004.

A copy of the agenda as well as the conference phone number may be obtained from the Commissioner of Education’s website at <http://www.fldoe.org>.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:	RULE TITLES:
59G-8.201	The Supervision of Self-Administration of Medications by and the Administration of Medication to Developmental Services (DS) Waiver Recipients, by Unlicensed Direct Service Providers
59G-8.202	Definitions
59G-8.203	Medication Administration Training and Medication Administration Skills Validation Requirements for the Unlicensed Direct Service Provider
59G-8.204	Requirements for Administration of Medication
59G-8.205	Requirements for Supervision of Self-Administration of Medication
59G-8.206	Storage Requirements for Prescription Medications
59G-8.207	Additional Requirements
59G-8.208	Required Record Keeping for the Administration of Medications or the Supervisions of Self-Administration of Medication, by Validated Direct Service Providers
59G-8.209	Special Requirements for Recipients who Require Medication While Traveling or Away for a Visit
59G-8.210	Informed Consent
59G-8.211	Requests for Exemption

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules as noticed in Vol. 29, No. 30, July 25, 2003, Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60-8	Prohibition of Smoking in State Offices
RULE NOS.:	RULE TITLES:
60-8.001	Purpose and Scope
60-8.002	Definitions
60-8.003	Prohibition
60-8.004	No-Smoking Areas
60-8.005	Action By Department Officials and Employees
60-8.006	Posting of Signs
60-8.007	Enforcement, Penalties

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 28, No. 34, August 23, 2002, Florida Administrative Weekly have been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.:	RULE TITLE:
64B8-2.001	Definitions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 8, of the Florida Administrative Weekly on February 20, 2004, has been withdrawn.

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.:	RULE TITLE:
64B13-11.001	Inactive Status

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. 03, of the January 16, 2004, issue of the Florida Administrative Weekly. These changes are being made in response to comments received from the Joint Administrative Procedures Committee. The Board, at its April 2, 2004 meeting, voted to make the following changes. The changes are as follows:

Subsection (2)(d) is not being struck, but shall read: If applicable, the change of status fee in subsection 64B13-6.001(7)(44), F.A.C.

Subsection (3)(f) is not being struck, but shall read: If the request of change licensure is made at any time other than at the beginning of a licensure cycle, pays the change of status fee of subsection 64B13-6.001(7)(44), F.A.C, and

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.:	RULE TITLE:
64B13-11.004	Delinquent Status License

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 3, of the January 16, 2004, issue of the Florida Administrative Weekly.

These changes are being made in response to comments received from the Joint Administrative Procedures Committee. The Board, at its April 2, 2004 meeting, voted to make the following changes. The changes are as follows:

Subsection (3) shall read: The delinquent ~~status~~ licensee who applies for an active or inactive license status shall pay to the board ~~the either the active status~~ fee of subsection 64B13-6.001(4)(3), F.A.C., ~~or the inactive status license fee of subsection 64B13-6.001(8), F.A.C., and the delinquent status~~ license fee of subsection 64B13-6.001(13)(15), F.A.C. ,and, if applicable, the change of status fee of subsection 64B13-6.001(7)(44), F.A.C.

Subsection (4) shall read: The delinquent ~~status~~ licensee who applies for active status license shall, in addition to complying with (3) immediately above, affirm compliance with the continuing education requirements of Rule 64B13-5.001, F.A.C., for the years the licensee was inactive prior to becoming ~~been inactive or~~ delinquent.

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.:	RULE TITLE:
64B18-14.010	Citations

NOTICE OF PUBLIC HEARING

The Board of Podiatric Medicine hereby gives notice of a public hearing on the above-referenced rule to be held on April 30, 2004 at 10:30 a.m., or shortly thereafter, at The Double Tree Galleria, 2670 East Sunrise Boulevard, Lauderdale, FL

33304, (954)565-3800. The hearing is being set to consider the Notice of Change published in Vol. 30, No. 14, of the April 2, 2004, Florida Administrative Weekly. The rule was originally published in Vol. 30, No. 9, of the February 27, 2004, Florida Administrative Weekly.

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

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

DEPARTMENT OF HEALTH

Division of Family Health Services

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 52, on December 26, 2003, and the Notice of Change published in Vol. 29, No. 52, on February 20, 2003, of the Florida Administrative Weekly.

The changes are the result of written comments received from staff of the Joint Administrative Procedures Commission.

Paragraph (16) of Rule 64F-12.012, F.A.C., shall now read as follows:

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

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

(a) A wholesale distributor or its affiliated group must submit the information in subparagraph 1. and 2. below to document eligibility for inclusion as an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.0121(6)(d)5.b., F.S. If the information submitted in subparagraph 1. and 2. is based on the cumulative activity of an affiliated group, a wholesale distributor or its affiliated group must submit the information in 3. below to document the eligibility of the individual wholesaler establishment that is a

member of the affiliated group to be an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.0121(6)(d)5.b. F.S.

1. To document total annual prescription drug sales of \$100 million or more submit either:

a. The most recent audited financial report that includes an Income Statement or Statement of Profit /Loss that indicates sales of prescription drugs of at least \$100 million. (Note: the statement or notes in the audited financial report must clearly demonstrate the sales amount related to prescription drugs as opposed to other commodities). OR

b. A signed attestation from a certified public accountant that the establishment or affiliated group, if applicable, had total annual prescription drug sales of \$100 million or more in the most recent fiscal year. OR

c. A computerized listing of prescription drug sales transactions during the period 10/1/02-9/30/03, or a 12-month period ending on the last day of the most recent calendar quarter, of at least \$100 million. This report must be totaled. The detail should include the invoice number, invoice date, customer name, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least \$100 million in prescription drug sales, excluding customer returns.

and

2. For each manufacturer for whom the wholesaler claims authorized distributor of record status, submit both sub-subparagraph a. and b. to document that the wholesaler annually purchases not less than 90%, based on dollar volume, of all of its purchases of a manufacturer's prescription drug products directly from that manufacturer.

a. A computerized listing of all of a manufacturer's prescription drugs purchased by the wholesaler during the period 10/1/02-9/30/03, or a 12-month period ending on the last day of the most recent calendar quarter, regardless of the source of those prescription drugs. This report must be totaled. AND

b. A computerized listing of all purchases of a manufacturer's prescription drugs directly from the manufacturer during the same time period. This report must be totaled. The detail should include the invoice number, invoice date, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least 90% of the wholesaler's purchases of a manufacturer's prescription drug products directly from that manufacturer, excluding returns to the manufacturer. OR

c. Copies of the manufacturer's sales invoices of prescription drugs to the wholesaler. An adding machine tape, or equivalent, must be included that lists each invoice, in order, and provides a total of all invoices submitted. A statement must be provided that the invoices document at least 90% of

the wholesaler's purchases of a manufacturer's prescription drug products directly from that manufacturer, excluding returns to the manufacturer.

3. Each wholesaler establishment that applies to the department to be listed as an authorized distributor of record of a drug manufacturer based upon its affiliated group's ongoing relationship with the manufacturer, or the affiliated group on behalf of each wholesaler establishment, must submit the names and address of all member wholesaler establishments of the affiliated group. In addition, each wholesaler establishment must either:

a. Conduct its prescription drug wholesale activities under an establishment name that incorporates the same business name as the affiliated group upon which the eligibility criteria for the affiliated group was met, or

b. Hold a valid prescription drug wholesaler permit or out-of-state prescription drug wholesaler permit issued under ch. 499, F.S.

(b) A wholesale distributor or its affiliated group must submit the information in 1. and 2. below to document eligibility for inclusion as an authorized distributor of record for a manufacturer of prescription drugs pursuant to Section 499.0121(6)(d)5.c., F.S.

1. To document total annual prescription drug sales of \$100 million or more submit either:

a. The most recent audited financial report that includes an Income Statement or Statement of Profit /Loss that indicates sales of prescription drugs of at least \$100 million. (Note: the statement or notes in the audited financial report must clearly demonstrate the sales amount related to prescription drugs as opposed to other commodities), OR

b. A signed attestation from a certified public accountant that the establishment or affiliated group, if applicable, had total annual prescription drug sales of \$100 million or more in the most recent fiscal year, OR

c. A computerized listing of prescription drug sales transactions during the period 10/1/02-9/30/03, or a 12-month period based on the most recent calendar quarter, of at least \$100 million. This report must be totaled. The detail should include the invoice number, invoice date, customer name, and total invoice amount related to prescription drugs. A statement must be provided that the report documents at least \$100 million in prescription drug sales, excluding customer returns.

2. For each manufacturer for whom the wholesaler claims authorized distributor of record status, submit a., b., or c. to document that the wholesaler has a verifiable account number issued by the manufacturer and has made at least 12 purchases of prescription drugs directly from that manufacturer using the verifiable account number.

a. If the wholesaler is a member of an affiliated group and all purchases from that manufacturer are made at a central location for the wholesaler, copies of at least 12 invoices dated during the previous 12 months from the date the information is

submitted, which invoices document purchases of prescription drugs, at least one unit of which on each invoice was not returned, under that central account number but shipped to the wholesaler's address for whom the authorized distributor of record status is claimed. A statement must be provided that the invoices document purchases of prescription drugs for the wholesaler for whom the authorized distributor of record status is claimed and that the wholesaler did not return to the manufacturer at least one unit of the prescription drugs on each invoice.

b. If the wholesaler is a member of an affiliated group and all purchases from that manufacturer are made at a central location and received at a central location for the wholesaler, copies of at least 12 invoices dated during the previous 12 months from the date the information was submitted, under the same account number which is clearly assigned to the wholesaler at the permitted address. Each invoice must document the purchase of prescription drugs, of which at least one unit identified on the invoice was not returned. A statement must be provided that the invoices document purchases of prescription drugs by that central location and that the central location or wholesaler for which the drugs were obtained did not return to the manufacturer at least one unit of the prescription drugs on each invoice, and that the central location shipped at least 12 times to the individual wholesaler for whom the authorized distributor of record status is claimed during the 12 months based on the fiscal year or designated timeframe.

c. For all other wholesale distributors, copies of at least 12 invoices dated during the previous 12 months from the date the information was submitted, under the same account number that is clearly assigned to the wholesaler at the permitted address. Each invoice must document the purchase of prescription drugs, of which at least one unit identified on the invoice was not returned. A statement must be provided that the invoices document purchases of prescription drugs by that wholesaler and that the wholesaler did not return to the manufacturer at least one unit of the prescription drugs on each invoice.

Specific Authority 499.01, 499.012, 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS. Law Implemented 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028, 499.04, 499.041, 499.05, 499.06, 499.062, 499.063, 499.064, 499.066, 499.067 FS. History--New 12-12-82, Amended 7-8-84, 1-30-85, Formerly 10D-45.54, Amended 11-26-86, 2-4-93, 7-1-96, Formerly 10D-45.054, Amended 1-26-99, 4-17-01, 10-29-02, 7-6-03, 1-1-04, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandra Stovall, Compliance Officer, 2818-A Mahan Drive, Tallahassee, Florida 32308, (850)487-1257, Ext. 210, sandra_stovall@doh.state.fl.us.fl

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 536, SUMMER FUN
RULE NO.: 53ER04-19
SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 536, "SUMMER FUN," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

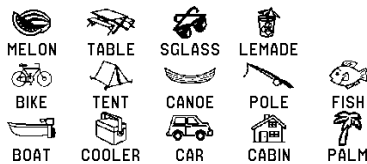
53ER04-19 Instant Game Number 536, SUMMER FUN.

(1) Name of Game. Instant Game Number 536, "SUMMER FUN."

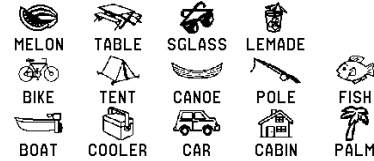
(2) Price. SUMMER FUN lottery tickets sell for \$2.00 per ticket.

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

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



(5) The "LUCKY SYMBOLS" play symbols and play symbol captions are as follows:



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

TICKET	\$1.00	\$2.00	\$4.00	\$5.00
TICKET	ONE	TWO	FOUR	FIVE
\$10.00	\$50.00	\$100	\$1,000	\$10,000
TEN	FIFTY	ONE HUN	ONE THO	TEN THO

(7) The legends are as follows:

LUCKY SYMBOLS YOUR SYMBOLS

(8) Determination of Prizewinners.

A ticket having a symbol in the "YOUR SYMBOLS" play area that matches either symbol in the "LUCKY SYMBOLS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A ticket may have up to ten sets of matching symbols. The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$50.00, \$100, \$1,000, and \$10,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a SUMMER FUN lottery ticket which entitles the claimant to a prize of a \$2.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 536 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 28 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$2 TICKET	1 IN	504,000
\$2	\$2	30.00	168,000
\$4	\$4	25.00	201,600
\$1 + (\$2 x 2)	\$5	37.50	134,400
\$5	\$5	37.50	134,400
\$1 + (\$2 x 2) + \$5	\$10	75.00	67,200
\$5 x 2	\$10	75.00	67,200
\$10	\$10	150.00	33,600
\$5 x 5	\$25	150.00	33,600
(\$5 x 2) + (\$10 x 4)	\$50	1,800.00	2,800
\$5 x 10	\$50	600.00	8,400
\$50	\$50	900.00	5,600
\$10 x 10	\$100	7,753.85	650
\$50 x 2	\$100	25,200.00	200
\$100	\$100	25,200.00	200
\$100 x 2	\$200	252,000.00	20
\$100 x 10	\$1,000	504,000.00	10
\$1,000	\$1,000	1,008,000.00	5
\$10,000	\$10,000	2,520,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 536 are 1 in 3.70. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 536, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

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

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 4-1-04.

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

EFFECTIVE DATE: April 1, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 537, FABULOUS 5s
 RULE NO.: 53ER04-20
 SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 537, “FABULOUS 5s,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER04-20 Instant Game Numbers 537, FABULOUS 5s.

(1) Name of Game. Instant Game Number 537, “FABULOUS 5s.”

(2) Price. FABULOUS 5s lottery tickets sell for \$5.00 per ticket.

(3) FABULOUS 5s lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning FABULOUS 5s lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph

53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any FABULOUS 5s lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

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

1 2 3 4 6 7 8 9
 ONE TWO THREE FOUR SIX SEVEN EIGHT NINE

5
 FIVE

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

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN
\$20.00 TWENTY	\$25.00 THY FIV	\$30.00 THIRTY	\$75.00 SVY FIV	\$100 ONE HUN	\$150 ONEHUNTY
\$200 TWO HUN	\$250 TWO FTY	\$500 FIV HUN	\$1,000 ONE THO	\$2,000 TWO THO	\$5,000 FIVE THO
\$10,000 TEN THO	\$50,000 FIFTYTHO				

(6) The “FAST CASH BONUS” play symbols and play symbol captions are as follows:

1 2 3 4 6 7 8 9
 ONE TWO THREE FOUR SIX SEVEN EIGHT NINE

5
 FIVE

(7) The legends are as follows:

GAME 1
 GAME 2
 GAME 3
 GAME 4 PRIZE
 GAME 5 BONUS

(8) Determination of Prizewinners. There are five games and one FAST CASH BONUS box on a FABULOUS 5s lottery ticket. Players may win more than one time per ticket.

(a) A ticket having three “ FIVE ” symbols in any row, column or diagonal within a game shall entitle the claimant to the corresponding prize shown for that game. The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$75.00, \$100, \$150, \$200, \$250, \$500, \$1,000, \$2,000, \$5,000, \$10,000, and \$50,000.

(b) A ticket having a “ FIVE ” symbol in the “FAST CASH BONUS” box shall entitle the claimant to a prize of \$50.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 537 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 50 POOLS OF 120,000 TICKETS PER POOL
\$1 x 5	\$5	30.00	200,000
(\$1 x 3) + \$2	\$5	30.00	200,000
\$1 + (\$2 x 2)	\$5	30.00	200,000
\$5	\$5	30.00	200,000
\$2 x 5	\$10	30.00	200,000
\$2 + (\$4 x 2)	\$10	60.00	100,000
\$1 + (\$2 x 2) + \$5	\$10	60.00	100,000
\$10	\$10	60.00	100,000
\$1 + (\$2 x 2) + (\$5 x 2)	\$15	60.00	100,000
\$5 x 3	\$15	60.00	100,000
\$15	\$15	60.00	100,000
\$15 x 2	\$30	400.00	15,000
\$1 + (\$2 x 2) + \$10 + \$15	\$30	400.00	15,000
(\$5 x 4) + \$10	\$30	300.00	20,000
\$10 x 3	\$30	300.00	20,000
(\$5 x 2) + (\$10 x 2)	\$30	300.00	20,000
\$30	\$30	600.00	10,000
\$50 (AUTOWIN "5")	\$50	120.00	50,000
\$25 x 3	\$75	12,000.00	500
\$5 + \$10 + (\$20 x 3)	\$75	40,000.00	150
(\$5 x 5) + \$50 (AUTOWIN "5")	\$75	20,000.00	300
\$25 + \$50 (AUTOWIN "5")	\$75	20,000.00	300
\$75	\$75	40,000.00	150
(\$10 x 5) + \$50 (AUTOWIN "5")	\$100	1,263.16	4,750
(\$25 x 2) + \$50 (AUTOWIN "5")	\$100	2,000.00	3,000
\$25 x 4	\$100	3,000.00	2,000
\$100	\$100	2,666.67	2,250
\$100 x 5	\$500	150,000.00	40
\$250 x 2	\$500	120,000.00	50
\$500	\$500	150,000.00	40
\$150 + (\$200 x 4) \$50 (AUTOWIN "5")	\$1,000	100,000.00	60
\$200 x 5	\$1,000	600,000.00	10
\$250 x 4	\$1,000	600,000.00	10
\$500 x 2	\$1,000	600,000.00	10
\$1,000	\$1,000	600,000.00	10
\$2,000 x 5	\$10,000	2,000,000.00	3
\$5,000 x 2	\$10,000	2,000,000.00	3
\$10,000	\$10,000	2,000,000.00	3
\$50,000	\$50,000	2,000,000.00	3

(10) The estimated overall odds of winning some prize in Instant Game Number 537 are 1 in 3.40. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 537, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a FABULOUS 5s lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for FABULOUS 5s lottery tickets shall be made in accordance with rules of the Florida Lottery governing procedures for awarding prizes.

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

Specific Authority 24.105(9)(a),(b),(c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a),(b),(c), 24.115(1) FS. History—New 4-1-04.

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

EFFECTIVE DATE: April 1, 2004

DEPARTMENT OF THE LOTTERY

RULE TITLE: MEGA M\$NEY® Retailer Bonus Sales
 RULE NO.: 53ER04-21

Second Extension
 SUMMARY OF THE RULE: This emergency rule extends the ending date of the five percent bonus sales commission as set forth in Emergency Rule 53ER04-5, *MEGA M\$NEY® Retailer Bonus Sales Commission*, and Emergency Rule 53ER04-16, *MEGA M\$NEY® Retailer Bonus Sale Commission Extension*, Florida Administrative Code, through April 1, 2004.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER04-21 MEGA M\$NEY® Retailer Bonus Sales Commission Second Extension.

(1) The ending date of the five percent bonus sales commission as set forth in Emergency Rule 53ER04-5, *MEGA M\$NEY® Retailer Bonus Sales Commission*, and Emergency Rule 53ER04-16, *MEGA M\$NEY® Retailer Bonus Sales Commission Extension*, Florida Administrative Code, is extended through April 1, 2004.

(2) Except for the extended ending date as provided in subsection (1), the bonus sales commission shall be paid as set forth in Emergency Rule 53ER04-5, Florida Administrative Code.

Specific Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 4-1-04.

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

EFFECTIVE DATE: April 1, 2004

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice is hereby given that the Department of Highway Safety and Motor Vehicles has approved petitions for variance of Rule 15A-10.0141, Florida Administrative Code, submitted by the following programs: DUI Counterattack Hillsborough, filed on February 17, 2004; Northeast Florida Safety Council, filed on February 17, 2004; Lakeview Center, Inc., filed on February 18, 2004; West Central Florida Safety Council, filed on February 20, 2004; and the C.O.R.E. Program, filed on February 25, 2004. The Department approved the above variances on April 5, 2004.

The petitioners were seeking to contribute to their programs' retirement plan in excess of the percentage of gross compensation contributed for members of the regular class of the Florida Retirement System (FRS). The petition was approved on the basis that the FRS contribution rate for the regular class is at 6.18% this fiscal year due to positive investment performance and the legislature's decision to spend down the FRS trust fund surplus. There are inherent and significant differences in how the FRS fund functions as compared to the DUI programs' retirement plans. Therefore, application of this rule would create a substantial hardship for the DUI programs and their employees. Notice of the petitions was published in the FAW on March 12, 2004.

A copy of the order(s) can be obtained from: Bureau of Driver Education and DUI Programs, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, MS 88, Tallahassee, Florida 32399-0571.

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 CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that the Department of Children and Family Services has received a Petition for Waiver of subsection 65C-15.017(3), F.A.C. The Petition was received by the Agency Clerk on April 5, 2004, by Boys' Home Association assigned Case Nos. 04-001W. Subsection 65C-15.017(3), F.A.C., requires that an Agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or a master's degree in social work or a related area of study from an accredited college or university.

A copy of the Petition may be obtained by writing: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of the Knott House**, Inc. announce two public meeting to which all persons are invited.

DATES AND TIME: Thursday, April 29, 2004; Friday, April 30, 2004, 9:00 a.m.

PLACE: Knott House Museum, 301 East Park Avenue, Tallahassee Florida 32301

If you have any questions regarding this meeting please feel free to contact: Executive Director, Stephen McLeod, (850)245-6375.

The Florida **Division of Historical Resources** announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, April 29, 2004, 4:00 p.m.

PLACE: Museum Theater, Ground Floor, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input regarding the future of the Florida Isolated Finds policy.

For additional information, or if you need special accommodations, contact: Della Scott-Ireton, (850)245-6317.

The **Department of State, Division of Cultural Affairs** announces the 2004-2005 Arts in Education Grant Program Panel Meetings, to which all persons are invited. These meetings are subject to cancellation, please call to confirm the meeting date and time.

DATES AND TIME: April 29-30, 2004, 9:00 a.m. – conclusion

PLACE: R. A. Gray Building, Auditorium, 500 South Bronough St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2004-2005 Arts in Education Grant Program Panel Meetings.

For more information, please contact: Dana DeMartino, Arts Administrator, Division of Cultural Affairs, 1001 DeSoto Park Drive, Tallahassee, Florida 32301, (850)245-6470.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

To request special aids or services, contact Division staff 72 hours prior to the above stated schedule, (850)245-6470 or Text Telephone 711.

DEPARTMENT OF LEGAL AFFAIRS

The LCSW Task Force Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: Wednesday, April 28, 2004, 2:30 p.m.

PLACE: Call (850)414-3300 for information on participation

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

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

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATES AND TIMES: Thursday, May 6, 2004, 12:00 Noon; Thursday, May 13, 2004, 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

The purpose of this meeting is to conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call: Sonia Pequignot, (305)246-8460.

DEPARTMENT OF EDUCATION

NOTICE OF CHANGE – The **Florida Education Foundation** announces the rescheduling of the April 21, 2004 public meeting to which all persons are invited:

DATE and TIME: May 24, 2004, 12:00 Noon – 4:00 p.m.

PLACE: Orlando Hyatt, 9300 Airport Blvd., Orlando, Florida 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: Introduction of new members; Announce new foundation structure; Consideration of amendments to by-laws; Other organization business.

For additional information, please contact: Diane McCain, Director of Planning, Department of Education, 325 West Gaines Street, Room 1544, Tallahassee, Florida, (850)245-0412.

The State of Florida, **Department of Education, Education Practices Commission**, announces a Teacher Hearing Panel to which all persons are invited.

Teacher Hearing

DATE AND PLACE: April 23, 2004, 9:00 a.m.

PLACE: Embassy Suites Hotel, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Teacher Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this hearing, he or she will need to ensure that a verbatim record of the proceeding is made. The record will include the testimony and evidence upon which the appeal is to be based.

Additional information may be obtained by writing: Education Practices Commission, 325 W. Gaines Street, Room 224, Turlington Building, Tallahassee, Florida 32399-0400.

SPECIAL ACCOMMODATION: Any person requiring a special impairment accommodation should contact Kathleen M. Richards, (850)245-0455, at least five (5) calendar days prior to the hearing. Persons who are hearing or speech impaired can contact the Commission using the Florida Dual Party Relay System at 711.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a meeting of the Affordable Housing Study Commission to which all interested persons are invited.

DATES AND TIMES: Wednesday, April 21, 2004, 1:00 p.m. – 5:00 p.m.; Thursday, April 22, 2004, 8:00 a.m. – 1:00 p.m.

PLACE: The Courtyard by Marriott, 1018 Apalachee Parkway, Tallahassee, Florida, Hotel’s phone number: (850)222-8822

At these meetings, a Public Comment period will take place on Thursday, April 22, 2004, 8:00 a.m. – 8:30 a.m.

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.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: May 25, 2004, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of the proposed amendments to Rules 12A-1.038 and 12A-1.094, F.A.C., of Chapter 12A-1, F.A.C. (Sales and Use Tax). A Notice of Proposed Rulemaking for these proposed rule amendments was published in the Florida Administrative Weekly on July 5, 2002 (Vol. 28, No. 27, pp. 2879-2883).

A Petition Seeking an Administrative Determination of the Invalidity of the proposed rule amendments to subsections (1) and (4) of Rule 12A-1.094, F.A.C., was filed on August 12, 2002.

A Notice of Change to the proposed amendments to Rule 12A-1.094, F.A.C. (Public Works Contracts) was published in the Florida Administrative Weekly on October 11, 2002 (Vol. 28, No. 41, pp. 4380-4383). On May 1, 2003, a final order finding the proposed rule amendments valid in all respects in Florida Home Builders Association, Inc., et al. v. DOR, DOAH Case No. 02-3146RP, was issued by the administrative law judge. On March 4, 2004, the First District Court of Appeal in Florida Home Builders Association, Inc. et al. v. DOR, Case No 1D03-2286, issued a per curium affirmed opinion in favor of the Department.

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: Larry Green, (850)922-4830.

Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Florida Transportation Commission** announces a public meetings to which all persons are invited:

DATE AND TIME: May 10, 2004, 1:00 p.m. – 5:00 p.m.

PLACE: Florida East Coast Industries, Inc., One Malaga Street, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Performance Measures Workshop.

DATE AND TIME: May 11, 2004, 8:00 a.m. – 1:00 p.m.

PLACE: City of St. Augustine, The Alcazar Room on the first floor of City Hall, 75 King Street, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings are asked to advise the Commission at least 48 hours before the meetings by contacting: Cathy Goodman, (850)414-4105.

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2004, 8:30 a.m.

PLACE: Department of Transportation Turnpike Headquarters Auditorium, Mile Post 263, Turkey Lake Service Plaza, Building 5315, Ocoee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Sections 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

Anyone needing an agenda or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call: Rosa Seabrooks, (850)922-4483.

Special accommodation requests under the Americans With Disabilities Act should be made at least 48 hours prior to the public meeting.

A copy of the agenda may be obtained by writing: Rosa Seabrooks, Executive Secretary, Commercial Motor Vehicle Review Board, 1815 Thomasville Road, Tallahassee, FL 32303-5750.

NOTICE OF CANCELLATION – The **Florida High Speed Rail Authority** hereby cancels the public meeting, which was scheduled as follows:

DATE AND TIME: Monday, April 19, 2004, 10:00 a.m. – conclusion

PLACE: Tallahassee City Commission Chambers, 2nd Floor, City Hall, 300 South Adams Street, Tallahassee, Florida

Notice of that meeting was published in Vol. 30, No. 15, Florida Administrative Weekly, dated April 9, 2004.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

The **Department of Citrus** announces an emergency meeting via telephone conference of the Florida Citrus Commission to which all persons are invited.

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

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review and approve the TV commercial "Health Drink" and to discuss any other issues that may properly come before the Commission.

Please note members of the Florida Citrus Commission will attend by telephone. To assure the public has access to this meeting, the Florida Department of Citrus will have a speakerphone available at the Department of Citrus. Additionally, if there is a member of the public who cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may make arrangements to do so by contacting: Office of the General Counsel, (863)499-2530.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 28, 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 regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: Monday, May 3, 2004, 9:30 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Commission Hearing Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Statement of Agency Organization and Operations), by contacting the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any

person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: May 3, 2004, immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a Special Commission Conference in the following dockets to which all interested persons are invited.

Docket No. 030867-TL – Petition by Verizon Florida Inc. to reform intrastate network access and basic local telecommunications rates in accordance with Section 364.164, Florida Statutes.

Docket No. 030868-TL – Petition by Sprint-Florida, Incorporated to reduce intrastate switched network access rates to interstate parity in revenue-neutral manner pursuant to Section 364.164(1), Florida Statutes.

Docket No. 030869-TL – Petition for implementation of Section 364.164, Florida Statutes, by rebalancing rates in a revenue-neutral manner through decreases in intrastate switched access charges with offsetting rate adjustments for basic services, by BellSouth Telecommunications, Inc.

Docket No. 030961-TI – Flow-through of LEC switched access reductions by IXC's, pursuant to Section 364.163(2), Florida Statutes.

DATE AND TIME: May 3, 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: For consideration of motions filed for reconsideration of Order No. PSC-03-1469-FOF-TL and for such other related matters as may be deemed appropriate.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

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, Rule 25-22.002, F.A.C.) by writing: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida. The agenda and recommendation 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 a record of the proceedings and, for such purpose, 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.

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 a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 001503-TP – Cost recovery and allocation issues for number pooling trials in Florida.

DATE AND TIME: May 5, 2004, 9:30 a.m.

PLACE: Commission Hearing Room 152, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's **Office of Tourism, Trade and Economic Development** announces a public meeting via conference call to which all persons are invited.

MEETING: The Emerging Technology Commission

DATE AND TIME: Wednesday, April 28, 2004, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call 1(850)487-8856, 227-8856

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Office of Tourism, Trade and Economic Development will convene The Emerging Technology Commission along with representatives from each Center of Excellence. Among topics discussed will be reviewing the quarterly reports submitted by the 3 Centers of Excellence.

For further information contact: Stephanie Smith, Governor's Office of Tourism, Trade and Economic Development, The Capitol, Suite 2001, Tallahassee, FL 32399-0001 or by telephone (850)487-2568.

Any person requiring a special accommodation at this meeting because of a disability should contact Stephanie Smith, (850)487-2568, no later than 48 hours prior to the meeting. Persons who are hearing or speech impaired can contact the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Council**, Planning and Growth Management Policy Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 6, 2004, 8:00 a.m.

PLACE: Flagler County Agricultural Center, 150 Sawgrass Road, Bunnell, FL 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Personnel, Budget, and Finance Policy Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 6, 2004, 9:00 a.m.

PLACE: Flagler County Agricultural Center, 150 Sawgrass Road, Bunnell, FL 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council**, Transportation and Economic Development Policy Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 6, 2004, 9:00 a.m.

PLACE: Flagler County Agricultural Center, 150 Sawgrass Road, Bunnell, FL 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending transportation and economic development issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council** announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, May 6, 2004, 10:00 a.m.

PLACE: Flagler County Agricultural Center, 150 Sawgrass Road, Bunnell, FL 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Peggy Conrad, (904)279-0880, Extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 3, 2004, 10:30 a.m.
 PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendments for Monroe County, Broward County, Oakland Park, Coconut Creek and Miramar; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact: South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD) if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Treasure Coast Regional Planning Council** announces a meeting of the Brownfields Advisory Committee to which all persons are invited.

DATE AND TIME: April 27, 2004, 2:00 p.m.
 PLACE: Treasure Coast Regional Planning Council, 301 East Ocean Boulevard, Suite 300, Stuart, FL 34994
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Brownfields Advisory 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 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 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 meeting of the Florida District X Local Emergency Planning Committee to which all persons are invited.

DATE AND TIME: May 27, 2004, 10:00 a.m.
 PLACE: Cummings Library, 2551 S. W. Matheson Avenue, Palm City, Florida 34990
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District X, Local Emergency Planning 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 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 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 **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: Thursday, April 29, 2004, 10:30 a.m. Eastern Time, 9:30 a.m. Central Time
 PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571, prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited:

GOVERNING AND BASIN BOARD MEMBERS TOUR OF TAMPA BAY REGIONAL RESERVOIR

DATE AND TIME: Friday, April 23, 2004, 9:00 a.m.

PLACE: Tampa Bay Regional Reservoir Construction Site, 12707 S. County Road 39, Lithia, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of reservoir construction site

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING

DATE AND TIME: Tuesday, April 27, 2004, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of Committee meetings, Board meeting and public hearing, including intention to amend the District's fiscal year (FY) 2004 budget as follows:

Increase the FY2004 General Fund budget by \$2,800,000 to reflect unanticipated revenue from the U.S. Federal Emergency Management Agency (FEMA) for watershed management and floodplain mapping efforts in Hernando and Marion counties (\$2,000,000) and from the U.S. Environmental Protection Agency for the Upper Peace River Restoration Initiative (\$800,000);

Increase the FY2004 Coastal Rivers Basin Special Revenue Fund budget by \$291,800 to reflect unanticipated revenue from the Water Management Lands Trust Fund for the Starkey Wilderness Park (\$91,800) and from the U.S. Environmental Protection Agency for water quality improvement and restoration of the Weeki Wachee Springs and upper River (\$200,000); and

Increase the FY2004 Peace River Basin Special Revenue Fund budget by \$78,600 to reflect unanticipated revenue from the Water Management Lands Trust fund for the RV Griffin Facility (\$35,000) and in balance from prior year due to the withdrawal of a fiscal year 2003 cooperative funding project (\$43,600).

The proposed budget amendment will result in a \$2,800,000 increase in the General Fund budget and a \$370,400 increase in the combined Special Revenue Funds budget, with no impact on ad valorem taxes.

GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, April 28, 2004, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing.

JOINT BASIN BOARD EDUCATION COMMITTEE AND LAND RESOURCES COMMITTEE MEETING

DATE AND TIME: Thursday, May 6, 2004, 9:30 a.m.

PLACE: Brooker Creek Education Center, 3940 Keystone Road, Tarpon Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Committee business.

PEACE RIVER BASIN BOARD MEETING (Note: This is a change of date from what was originally published in the year-long calendar.)

DATE AND TIME: Friday, May 7, 2004, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, 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 **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: April 26, 2004, 9:00 a.m.

PLACE: Dallas B. Townsend Agriculture Bldg., 1085 Pratt Blvd., Labelle, FL 33035

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct workshop associated with the C-139 and Western Basins Best Management Practices (BMPs) Grant Program.

A copy of the agenda may be obtained by 1) writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680, or 2) contacting the person below.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary

for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Marta Edwards, Everglades Regulation Division, (561)682-2928, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4260, West Palm Beach, FL 33406.

FLORIDA SPACE AUTHORITY

The **Florida Aerospace Finance Corporation (FAFC)** announces a special meeting and teleconference to which the public is invited.

DATE AND TIME: April 19, 2004, 10:00 a.m. – 12:00 p.m.

PLACE: Florida Aerospace Finance Corporation, 403 Brevard Avenue, Suite 1, Cocoa, FL 32922 (To attend via telephone the number to call is: 1(866)249-5325, participant code 393255)

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Committee of the Board of Directors appointed by the Chairman, will meet to negotiate the President of the Corporation’s employment contract.

For more information, contact: Ms. Judy Blanchard, (321)690-3397.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 403 Brevard Avenue, Suite 1, Cocoa, Florida 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Aerospace Finance Corporation.

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, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a meeting to which all persons are invited.

Alzheimer’s Disease Advisory Committee

DATE AND TIME: May 6, 2004, 8:30 a.m. – 4:00 p.m.

PLACE: Crowne Plaza Airport Hotel, 5555 Hazeltine National Drive, Orlando, Florida, (407)856-0100

CONTACT: Arkeba Bouie, (850)414-2339

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss various issues regarding the Alzheimer’s Disease Initiative.

For more information, please contact: Florida Department of Elder Affairs, (850)414-2000.

Note: Pursuant to the provisions of the American with Disabilities Act, any persons requiring special accommodations to participate in this meeting is asked to advise the department at least 48 hours before the meeting by contacting: Arkeba Bouie, (850)414-2339. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

The State of Florida, **Long-Term Care Ombudsman Council** announces the dates and times of its next Quarterly Meeting including a number of Committee Meetings; to which interested persons are invited.

Executive Committee

DATE AND TIME: Wednesday, April 28, 2004, 10:00 a.m. – 5:00 p.m. (L. de Wette’s room)

Ombudsman Training Session

DATE AND TIME: Thursday, April 29, 2004, 9:00 a.m. – 12:00 Noon (Check the hotel’s reader board)

The Policy and Procedures Committee

DATE AND TIME: Thursday, April 29, 2004, 2:00 p.m. – 5:00 p.m. (Audrey Bennett’s room)

Legislative Committee

DATE AND TIME: Thursday, April 29, 2004, 2:00 p.m. – 5:00 p.m. (Jack Murphy’s room)

Ways and Means Committee

DATE AND TIME: Thursday, April 29, 2004, 2:00 p.m. – 5:00 p.m. (Grace Rondeau’s room)

General Session of the State Council

DATE AND TIME: Friday, April 30, 2004, 8:30 a.m. – 3:00 p.m.

PLACE: Sheraton Suites, 4400 Cypress St., Tampa, FL 33607, (813)873-8675

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the Long-Term Care Ombudsman Program.

If anyone should requires additional information regarding these events, please call: Office of the Long-Term Care Ombudsman, (850)414-2329.

The Florida **Department of Elder Affairs** announces the Guardianship Task Force’s fifth public meeting to which all persons are invited.

DATE AND TIME: April 23, 2004, 9:30 a.m. – 5:00 p.m.

PLACE: Stetson University’s Great Hall, 1401 61st Street South, Gulfport, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Guardianship Task Force will be addressing issues of guardianship and incapacity as directed by Senate Bill 2568 (2003).

The public meeting will also include time to receive comments from the public on guardianship and incapacity. Public testimony is scheduled to begin at 10:00 a.m. Written public testimony may be mailed to: Guardianship Task Force, Statewide Public Guardianship Office, 4040 Esplanade Way, Suite 360-I, Tallahassee, Florida 32399-7000, Fax (850)414-2384, e-mail: Sean Griffith, griffithsp@elderaffairs.org.

Any person requiring special accommodations to participate in this meeting is asked to advise the Statewide Public Guardianship Office at least 48 hours before the meeting by contacting: Mr. Sean Griffith, (850)414-2381. If you are hearing or speech impaired, please contact the department by calling (850)414-2001.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Black Business Support Corporation** announces a revised teleconference meeting of its Loan Investment Committee to which all interested persons are invited. The April 8, 2004 teleconference has been rescheduled as follow:

DATE AND TIME: Monday, April 26, 2004, 10:00 a.m.

PLACE: Teleconference Call (850)487-4850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider financing requests, receive reports relating to loan and investment activities, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Support Corporation, 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend these meeting, please notify the FBBSC Office, (850)487-4850, at least seven (7) days prior to the meetings.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: April 26, 2004, 2:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Cleveland Acree, Paradise Architectural Drafting, Case No. 2003-070980

ADAAG Consulting Services, LLC, Ricardo Londono, Case No. 2003-091368

Dixon Alvarino, Case No. 2003-050476

Architectural Elements & Design, Case Nos. 2004-001125 & 2004-001116

BAE Building & Design, Robert Abeug Case No. 2003-054308

Barr Architectural Studio, Inc., Case No. 2003-062551

Michael Beamish, Case No. 2003-092872

Oscar S. Benitez, O. Benitez & Associates, Inc., Case Nos. 2003-047119 & 2003-064019

Vincent A. Biscombe, Case No. 2003-085864

Raymond Boorstein, Case No. 2001-05326

Roger P. Bower, Yesterday, Today, Tomorrow Interiors, Case No. 2003-094764

Susan Burgess, The Heartland Group, LLP, Case No. 2003-084621

K.C. Burmester, III, KC's Architectural Design & Drafting, Case No. 2003-082485

Seth Campbell, Paradise Architectural Drafting and Design, Case No. 2003-070986

Barbara Christie, Case No. 2003-071995

Lee Deering, Deering Drafting and Design, Case No. 2003-081907

Miguel L. Diaz-Perna, Case No. 2004-001963

Howard S. Ellman, Dynamic Designs, Inc., Case No. 2004-007468

Hector C. Fernandez, Case No. 2003-096574

Kenneth J. Ferruggia, Case No. 2003-001573

Douglas Hayes, Hayes World Development Corp., Case No. 2003-054010

Vincent Hemphill, Jarosz Architects, P.A., Case No. 2003-096591

Julian Mathis Interior Design, Case No. 2003-090987

George Lacancellera, Case No. 2004-001844

Terry Lodge, White Heart Designs, Case No. 2003-083531

Sharon Lucas, Lucas Design Associates, Case No. 2003-081777 & 2003-081823

MB Design Group, Inc., Case No. 2003-085929

Bryan Molyet, Molyet Engineering, Case No 2003-083518

Leyla Murillo, Jarosz Architects, P.A., Case No. 2003-096582

Andrew Narcus, Case No. 2003-054003

Keith Parker, K.P. INK, Inc., Case No. 2003-057706

David A. Pillsbury, Lines of Ocala, Case No. 2004-001856

Pylon Group, Case No. 2003-044645

Ray O'Donnell Interiors, Case No. 2004-007558

Stephen Lloyd, Case No. 2003-070663

Juan Carlos Ricardes, Case No. 2003-092298

Laurence O. Rubel, Wahoo Bay Designs, Case No. 2003-071894

Emily Smith, Case No. 2004-008426

SRL Associates, Case No. 2003-042406
 Stephen Shields, Stephen Shields Interior Design, Case No. 2004-001990
 Sandra Suarez, Case No. 2003-070575
 James Taylor, Design West Associates, Case No. 2003-065572 & 2003-065576
 Jerome Uhran, Case No. 2003-067655
 Pauline A. Vileno, Yesterday, Today, Tomorrow Interiors, Case No. 2003-085064
 Robert Winters, Case No. 2001-07380
 John Zonata, Zonata's Architectural Drafting Service, Case No. 2003-070899
 PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, FL 33612

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, FL 32308-4893.

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 Smith, Thompson, Shaw & Manausa, P.A., (850)402-1570, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: April 27, 2004, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the public portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or

meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, May 12, 2004, 2:00 p.m.; Thursday, May 13, 2004, 8:00 a.m.; Friday, May 14, 2004, 8:00 a.m.

PLACE: Doubletree Hotel Tallahassee, 101 South Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 N Monroe Avenue, Tallahassee, Florida 32399-1039. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay, 1(800)955-8771 (TDD), 1(800)955-8770 (Voice).

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, June 9, 2004, 2:00 p.m.; Thursday, June 10, 2004, 8:00 a.m.; Friday, June 11, 2004, 8:00 a.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings 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.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 N Monroe Avenue, Tallahassee, Florida 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant, (850)922-2701, at least seven calendar days

prior to the meeting. Hearing or speech impaired please use Florida Relay, 1(800)955-8771 (TDD), 1(800)955-8770 (Voice).

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees to which all persons are invited:

DATE AND TIME: Wednesday, May 5, 2004, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Carrie Flynn, (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Friday, May 7, 2004, 8:30 a.m. – conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Carrie Flynn, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call to which all persons are invited:

DATE AND TIME: Thursday, May 20, 2004, 2:00 p.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303 (Conference Call Number: 1(800)659-8296)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting: Carrie Flynn, (850)521-0500.

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 Chiropractic Medicine**, Probable Cause Panel will hold a duly noticed telephone conference call meeting, to which all persons are invited to attend.

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

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, FL; Meet Me Number (850)488-0979

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8771 (TDD), 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

The Florida **Board of Medicine's** Surgical Care Committee announces a meeting to which all persons are invited.

DATE AND TIME: Friday, April 23, 2004, 1:00 p.m.

PLACE: Tampa, Florida; Meet Me Number: Please contact Florida Board of Medicine, (850)245-4131, for the Meet Me number and location

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 Florida **Board of Medicine** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, May 5, 2004, 12:00 p.m.

PLACE: Contact Florida Board of Medicine, (850)245-4131, for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Department of Health, Board of Nursing Home Administrators** announces a General Board Meeting to which all interested persons are invited.

DATE AND TIME: May 14, 2004, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approve applications, conduct disciplinary proceedings, general business of the Board.

A copy of the agenda may be obtained by writing: Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C-04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Daisy King, Board of Nursing Home Administrators, (850)245-4291, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need 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 made.

The **Department of Health, Board of Respiratory Care** announces a meeting to which all persons are invited:

DATE AND TIME: May 7, 2004, 8:30 a.m. or soon thereafter

PLACE: Wyndham Westshore, 4860 W. Kennedy Blvd., Tampa, FL 33609, (813)286-4400

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, Tallahassee, FL 32399-3255 or by calling (850)245-4373.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/

meeting by contacting the board office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Florida **Department of Health, Obesity Prevention Program** announces a meeting for the Florida Partnership for Promoting Physical Activity and Healthful Nutrition to which all persons are invited:

DATE AND TIME: Friday, May 14, 2004, 8:30 a.m. – 4:30 p.m.

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Develop strategies to promote physical activity and healthful nutrition among Florida’s youth and adult populations.

Contact: Marianne Hightman, FL Department of Health, Bureau of Chronic Disease Prevention and Health Promotion, Obesity Prevention Program, (850)245-4330, Ext. 3433

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Substance Abuse and Mental Health Program Office announces a public meeting to which all persons are invited:

DATE AND TIME: May 4, 2004, 10:00 a.m. – 11:00 a.m.

PLACE: Hurston Building (South Tower), Conference Room C, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and information regarding the re-designation of District 7, Baker Act receiving facilities.

A G E N D A – LAKESIDE ALTERNATIVES, INC., a public receiving facility located at 434 W. Kennedy Boulevard, Orlando, Florida.; LAKESIDE ALTERNATIVES, INC., a public receiving facility located at 1800 Mercy Drive, Orlando, Florida.; ORLANDO REGIONAL SOUTH SEMINOLE HOSPITAL, a private receiving facility located at 555 W. State Road 434, Longwood, Florida.

NOTE: Persons with disabilities requiring accommodations in order to participate in this event should contact the following person(s) by telephone or in writing: Anna Fedeles, 400 West Robinson Street, S930, Orlando, Florida 32801, (407)245-0420, or 1(800)955-8771 (TDD/TTY) or 1(800)955-8770 (Voice), by close of business (5:00 p.m.) on Friday, April 30, 2004.

FOR FURTHER INFORMATION CONTACT: Anna Fedeles, 400 West Robinson Street, Suite S930, Orlando, Florida 32801, (407)245-0420

NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, April 24, 2004, 8:30 a.m.

PLACE: The Ocean Hammock Resort, 300 Clubhouse Drive, Palm Coast, Flagler County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting and workshop of the Board of Commissioners to conduct the regular business of the District. Additionally, the District’s Land Acquisition and Management and Committee will meet.

Please contact the District office, 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386, for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a meeting of the Board of Directors to which all interested parties are invited:

DATE AND TIME: May 21, 2004, 9:00 a.m. – adjourned

Fiscal Committee

Guarantee Committee

Universal Cycle Committee

Multifamily Revenue Bond Committee

Board Meeting

PLACE: Hyatt Regency Miami, 400 S. E. 2nd Avenue, Miami, FL 33131-2197, (305)358-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider, review, and take action on matters brought to the Fiscal Committee and to consider recommendations made by the Fiscal Committee to the Board.
2. Consider, review, and take action on matters brought to the Guarantee Committee and to consider recommendations made by the Guarantee Program Committee to the Board.

3. Consider, review, and take action on matters brought to the Universal Cycle Committee and to consider recommendations made by the Universal Cycle Committee to the Board.
4. Consider, review, and take action on matters brought to the Multifamily Revenue Bond Committee and to consider recommendations made by the Multifamily Revenue Bond Committee to the Board. Authorize the Corporation Staff to proceed with all actions necessary for the sale of bonds of pending multifamily issues, which have satisfied the requirements for funding.
5. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
6. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
7. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
8. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multi-family issues.
9. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
10. Consideration of policy issues concerning ongoing and upcoming Single-family Bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
11. Consideration of all necessary actions with regard to the Multifamily Bond Program.
12. Consideration of approval of underwriters for inclusion on approved master list and teams.
13. Consideration of all necessary actions with regard to the HOME Rental Program.
14. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
15. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
16. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
17. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
18. Consideration of all necessary actions with regard to the Home Ownership Programs.
19. Consideration of all necessary actions, for initiating new rules or rule amendments on an emergency or non-emergency basis.
20. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
21. Consideration of workouts or modifications for existing projects funded by the Corporation.
22. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
23. Consideration of funding additional reserves for the Guarantee Fund.
24. Consideration of audit issues.
25. Evaluation of Professional and Consultant performance.
26. Such other matters as may be included on the Agenda for the May 21, 2004, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF FINANCIAL SERVICES

The Enterprise Resource Planning Integration Task Force (ERPI TF), **Florida Financial Management Information System (FFMIS)** Coordinating Council announces the following public meeting to which all persons are invited:

DATE AND TIME: Task Force Meeting, Thursday April 29, 2004, 11:00 a.m.

PLACE: CFO Conference Room, PL 12, Capitol Building, Tallahassee, Florida

Please Note: The above date, time and place of the meeting are tentative. It may be necessary to reschedule this meeting and additional interim meetings of the Task Force may be required.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled ERPI TF meeting.

Information regarding scheduled times and dates can be sent to: Don Northam, Staff Director, ERPI TF, Department of Financial Services, 200 E. Gaines Street, Tallahassee, FL 32399-0352, (850)413-2822, Fax (850)488-7265, e-mail: northamd@dfs.state.fl.us.

LOCAL GOVERNMENT INVESTMENT TRUST

The Board of Trustees for the Florida **Local Government Investment Trust** announce a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2004, 10:30 a.m.

PLACE: Nabors, Giblin & Nickerson, P.A., 2502 Rockypoint Drive, Suite 1060, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Administrative Operations.

A copy of the agenda may be obtained by contacting: Trust's Administrator, FACC Service Corporation, (850)921-0808.

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 26, 2004, from National Engineering Corp., regarding the sizing of grease interceptors installed in restaurants.

It has been assigned the number DCA04-DEC-072.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for Declaratory Statement on February 13, 2004, from Sarasota County regarding the inspection and testing of backflow prevention devices and assemblies.

It has been assigned the number DCA04-DEC-040.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a Petition for 36 Declaratory Statements on March 23, 2004, from Palm Beach County regarding numerous questions concerning the application and interpretation of Rule Chapter 9B-72, Florida Administrative Code.

It has been assigned the number DCA04-DEC-069.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, has issued a Declaratory Statement in response to a Petition received from ABC Liquors, Inc., John F. Bennet, Esquire, Attorney for Petitioner, Docket No. DS2004-006 on February 19, 2004.

It is declared that the longstanding and well-established intent of Section 561.42, F.S., is to prohibit any relationship between a distributor of alcoholic beverages and a vendor licensed to sell alcoholic beverages; that inconsistent assessing of split case charges and discounts by distributors to vendors is directly contrary to the intent of Section 561.42, F.S.; that inconsistent assessing of split case charges and discounts by distributors attempts to create a relationship between distributor and vendor which Section 561.42, F.S., is specifically designed to prohibit; and, that both vendors and distributors are prohibited from entering into such arrangements.

A copy of the Declaratory Statement, Docket No. DS2004-006, may be obtained by writing: Sarah Wachman, Agency Clerk, Department of Business and Professional Regulation, Office of General Counsel, 1940 N. Monroe Street, Tallahassee, Florida 32399-1020.

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 the Department of Health received a Petition, for Declaratory Statement from Lifeguard Air Ambulance, Inc., which was filed on April 1, 2004. Petitioner requests a declaratory statement from the

Department regarding interstate and intercounty transporting and certificate of public convenience and necessity as provided under Chapter 401, Part III, Florida Statutes, and Rule 64E-2.032, Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by writing: Diana Swegman, Office of the General Counsel, Department of Health, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399.

The Board of Nursing hereby gives notice that it has issued a Final Order in the Petition for Declaratory Statement filed by Patricia Edwards, R.N., M.N. The Board reviewed the petition at its meeting held on December 11 and 12, 2002, in Ft. Lauderdale, Florida. The Board's Final Order, filed in this cause on March 30, 2004, finds that Amniotomy is an advanced practice act which is within the scope of practice of a certified nurse midwife.

A copy of the Petition and the Board's Final Order may be obtained by contacting: Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252.

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:

Florida Coalition for the Education of Individuals with Developmental Disabilities, Family Network on Disabilities of Florida, Inc. and the Advocacy Center for Persons with Disabilities, Inc. vs. State Board of Education and Department of Education; Case No.: 04-1083RP; Rule No.: 6A-6.030191, 6A-6.0302, 6A-6.03020, 6A-6.03028, 6A-6.030281, 6A-6.03029, 6A-6.0331, 6A-6.03311, 6A-6.03312, 6A-6.03313, 6A-6.03314, 6A-6.03411

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Richard T. Fryer, Individally and as a member of the FREC Distance Learning Task Force Committee and Institute of Florida Real Estate Careers, Inc., A Florida Corporation vs. Department of Business and Professional Regulation, Division of Real Estate, Florida Real Estate Commission; Case No.: 04-0080RP; Rule No.: 61J2-3.020; Voluntarily Dismissed

Section IX Notices of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-175, DHRE Project #4302-52, Riker Hall Fire Code Corrections, estimated budget: \$275,000- \$325,000, to be opened May 18, 2004, at 2:00 p.m. Local Time. Scope of work: Providing fire sprinklers and fire alarm system in Riker Hall along with all related work. Specifications and Plans are available in Central Purchasing, Elmore Hall, Radio Road, Gainesville, FL 32611, Telephone (352)392-1331. A Mandatory Pre-Bid Meeting will be held May 4, 2004, at 10:00 a.m. in the Weaver Hall Studey, North South Drive (south of the O'Connell Center), Gainesville, FL. All questions should be directed to A.J. Sontag, Associate Director, UF Purchasing (352)392-1331. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331 within three (3) days of the event.

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-180, W/O #703357, Replace 23 KV Feeders from Manholes 254 to 259, estimated budget: \$225,000-\$260,000, to be opened May 25, 2004, at 2:00 p.m. Local Time. Scope of work: The work includes replacing existing paper insulated lead cables with new ethylene-propylene insulated cables and associated splices and terminations.. Specifications and Plans are available in Central Purchasing, Elmore Hall, Radio Road, Gainesville, FL 32611, Telephone (352)392-1331. A Mandatory Pre-Bid Meeting will be held May 11, 2004, at 1:00 p.m. in the Physical Plant

Division, Architecture/Engineering Conference Room, Building 700, Radio Road, Gainesville, FL. All questions should be directed to A.J. Sontag, Associate Director, UF Purchasing (352)392-1331. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331 within three (3) days of the event.

NOTICE OF PROJECT WITHDRAWAL TO PROFESSIONAL CONSULTANTS

Florida A & M University (FAMU) office of Facilities Planning and Construction, Plant Operations Facility Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, hereby notify all Professional Consultants that the request for submittals for Professional Services for Continuing Contract projects required in the following disciplines: Architect (1), Mechanical/Electrical Engineer (1), Environmental Consultant (1), and one (1) Construction Manager (published in the Florida Administrative Weekly, Vol. 30, No.11, March 12, 2004, Page 1138, Section XI – Notices Regarding Bids, Proposals and Purchasing) IS OFFICIALLY WITHDRAWN AND WILL BE RE-ADVERTISED AT A LATER DATE.

NOTICE OF CORRECTION

New College of Florida announces a correction to the PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES CONTINUING CONTRACT originally advertised on the April 2, 2004, Vol. 30, No. 14 of the Florida Administrative weekly.

PROJECT NAME: Campus Services Construction Management Continuing Contract, New College of Florida.

RESPONSE DUE DATE: The correct deadline is 4:00 p.m., April 30, 2004, Local Time.

Applications are to be sent to Mr. Ken Perlowski, Director, Facilities Planning and Construction, 5700 N. Tamiami Trail, PHS 104, Sarasota, FL 34243, Phone (941)359-4240.

NOTICE OF CORRECTION

New College of Florida announces a correction to the NOTICE TO PROFESSIONAL CONSULTANTS for Architectural/Engineering Services originally advertised on the April 2, 2004, Vol. 30, No. 14 of the Florida Administrative weekly.

PROJECT NAME: Campus Service Architectural/Engineering Continuing Contract, New College of Florida.

RESPONSE DUE DATE: The correct deadline is 4:00 p.m., April 30, 2004, Local Time.

Applications are to be sent to: Mr. Ken Perlowski, Director, Facilities Planning and Construction, 5700 N. Tamiami Trail, PHS 104, Sarasota, FL 34243, Phone (941)359-4240.

REQUEST FOR PROPOSALS TO PROVIDE

INVESTMENT AND ASSET MANAGEMENT SERVICES
 The Board of Directors (“Board”) of the Foundation for Florida’s Community Colleges (“Foundation”) is seeking proposals from qualified firms to provide the Board with professional investment and asset management services with respect to the investment of the Foundation’s assets.

The Foundation’s combined balance for this portion for the period ended 12-31-03 was \$4,757,899.35. For a copy of the Board’s adopted Investment Policy Statement, contact: Sharon Jones, (850)245-9472.

The Board desires to retain a qualified firm that will assist the Board and its staff in providing professional investment and asset management.

The Board is issuing this Request for Proposals to provide potential applicants with information, guidelines and rules to prepare and submit a proposal. Each proposal must satisfy all criteria in this request to qualify for consideration.

The selection of an Asset Manager by the Board shall be based on the proposal, which is, in the sole opinion of the Board, in the best interests of the Foundation. The issuance of the Request for Proposals constitutes only an invitation to make proposals to the Board. The Board reserves the right to determine, in its sole discretion, whether any aspect of the proposal satisfies the criteria established in the Request for Proposals. The Board further reserves the right to negotiate with any firm or firms submitting proposals and reserves the right to reject any or all proposals with or without cause. In the event that this Request for Proposals is withdrawn by the Board for any reason, the Board shall have no liability to any applicant for any costs or expenses incurred in connection with this Request for Proposals or otherwise.

The following information must be included in each proposal in order to be deemed complete:

I. ORGANIZATION

A. Name of Asset Management Organization.

B. Firm (answer for total firm, also indicate the office responsible for this account).

1. The year the firm was founded.

2. Affiliate organization – describe relationship and principal business of affiliates.

3. Total non-profit and/or foundation assets under management.

C. Employees.

1. Number of professional, operational and administrative employees.

2. Please list all investment professionals and their tenure with your organization.

3. Please list all investment professionals that have left your firm in the last 18 months.

D. Portfolio Manager(s) who would have primary responsibility for the management of this account.

1. Name and title.
2. Educational Background.
3. Experience (please indicate time periods and employers).
 - a. Portfolio management.
 - b. Other investment related responsibilities.
4. How many accounts this portfolio manager is responsible for.

- a. Number of non-profit accounts, and average median size of these accounts.
- b. Number of municipal retirement plans and average median size of accounts.
- c. Number of taxable accounts and average median size.

II. INVESTMENT PROCEDURES AND APPROACH

A. Briefly describe the philosophy and methodology of your security selection for both equities and fixed income. If you feel any of the more common “investment styles” apply to your philosophy, please so indicate.

B. How many different issues of stocks would you recommend be held in the portfolio? Would this number change as the fund increases in size?

C. Please describe briefly any specific method or criteria used which determines when to sell securities.

D. What benchmarks and/or indices do you feel are most appropriate to use in measuring your asset class return? What time frame? What would your recommended objective be as related to these indices?

E. Briefly describe the latitude of the individual managers making investment decisions. What decisions are made at the “committee” level?

F. Do you attempt to have all discretionary portfolios, or the equity or fixed segments, perform similarly on a firm or office-wide basis? How much variation from best to worst do you reasonably expect to occur?

G. For the manager who would be assigned to this account, what range of annual portfolio turnover (sales as a percent of average assets held) would you expect to occur, assuming more or less normal circumstances (equity and fixed income separately)?

III. INVESTMENT PERFORMANCE

A. Please submit quarterly performance data for the past one, three, five and/or ten years.

B. Please indicate the manner in which these numbers were derived.

C. What is the asset size represented by these performance figures?

D. What is the average asset allocation represented by these numbers?

IV. FEES

A. What is your proposed fee structure?

B. Provide a detailed description of the services to be provided in exchange for the proposed fees.

V. MISCELLANEOUS

A. Provide a list of at least five clients’ references, with contact persons, addresses and telephone numbers, preferably, non-profit organizations regarding the qualifications and financial integrity of the firm.

B. Any other information deemed to be of value to the Board in selecting the Asset Manager.

Eight (8) copies of each proposal should be enclosed in one sealed envelope addressed to: Stacey Webb, Executive Director, The Foundation for Florida’s Community Colleges, P. O. Box 10503, Tallahassee, Florida 32302-0503, that is clearly marked “Proposal for Investment and Asset Management Services” and must be submitted not later than 12:00 Noon on May 14, 2004. Proposals submitted or delivered after that time will not be considered, but will be recorded as received late and returned to the applicant.

The Board waives the right to conduct one or more interviews of managers submitting proposals and to conduct appropriate background checks of applicants and requires completion of certain disclosure forms required by Florida law before finalizing its selection of the successful applicants. It is contemplated that the Board will interview certain applicants based on a review of the written proposals and select the successful applicants on or about June 30, 2004. Successful applicants will be required to enter into an appropriate formal appearance with the Board.

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

The Suwannee River Water Management District (District) is requesting bids for the construction of metal gates to be installed on District properties. Request for Bids Documents (RFB 03/04-038 LM) and gate construction specifications are available by contacting Gwen Lord, Administrative Assistant, (386)362-1001 or on the District’s website at <http://www.mysuwanneeriver.com/services/bids+and+contracts>. Sealed bids must be received at District headquarters by 3:00 p.m. on April 26, 2004.

For more information on this project contact: Edwin McCook, Public Use Coordinator, (386)362-1001 or 1(800)226-1066 (Florida only).

EXPRESSWAY AUTHORITIES**NOTICE TO PROFESSIONAL
ENGINEERING CONSULTANTS**

The Orlando-Orange County Expressway Authority requires the services of a Professional Engineering Consultant in connection with the design of improvements at the S.R. 429/S.R. 414 (Maitland Boulevard Extension) Systems Interchange, identified as Project No. 429-200, in Orange County, Florida. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority, based on information provided by the firms, and who have been prequalified by FDOT to perform the indicated Types of Work.

MAJOR TYPES OF WORK: Group 3.2, Major Highway Design; Group 3.3, Controlled Access Highway Design; Group 4.2, Major Bridge Design.

ADDITIONAL TYPES OF WORK REQUIRED: Group 7, Traffic Operations Design; Group 8, Surveying and Mapping and Group 9, Soil Exploration, Material Testing and Foundations.

DESCRIPTION: The work to be performed under this project will include final geometric design for the realignment and extension of S.R. 429 from south of existing C.R. 437A interchange north to Boy Scout Road, the new limited access roadway (S.R. 414) from realigned S.R. 429 east to west of Apopka Vineland Road, new system interchange ramps at S.R. 429 and S.R. 414 extension, and a new interchange with S.R. 429 and CR 437A. Additional elements include: surveying, right-of-way mapping, drainage evaluation and design, permitting, lighting, signalization, signing and pavement markings, maintenance of traffic, utility design and coordination, geotechnical analysis, scheduling and project control, progress reporting and other tasks and associated activities.

LETTERS OF INTEREST SUBMITTAL REQUIREMENTS: Consultants wishing to be considered shall submit six (6) sets of a Letter of Interest package. The letter shall be a maximum of ten (10) pages exclusive of attachments and resumes. The packages shall include the following:

1. Experience – Details of specific experience for at least three (3) projects, similar to that described above that involve limited access highway reconstruction, completed by the consultant's Project Manager and other key project team members including the name of client contact person, telephone number, and physical address;
2. Personnel Experience – Resumes of the consultant's proposed Project Manager and other key personnel presently employed by the consultant who will be assigned to the project. The Project Manager shall have a minimum of five (5) years of specific experience in complex highway and/or bridge design projects;

3. Project Team – Anticipated subconsultants shall be identified and the roles that each will play in providing the required services. Resumes should be provided for subconsultants that may be involved in key roles;
4. Prequalification Documentation – A copy of the Notice of Qualification issued by the FDOT showing current qualification in the Types of Work specified above;
5. Office Location – The office assigned responsibility and its physical address shall be identified. It is required that the consultant have an office and key staff located within the Orlando area.

Failure to submit any of the above required information may be cause for rejection of the package as non-responsive.

SELECTION/NEGOTIATIONS: The Authority may shortlist up to five (5) firms based on its evaluation of the Letters of Interest and qualifications information received. Shortlisted firms will proceed to the next step in the process which includes preparation and submittal of a Technical Proposal and an oral presentation or interview. The Authority will provide the shortlisted firms with a comprehensive outline of the Scope of Services for use in preparing the Technical Proposal. Each firm will be evaluated and ranked by the Authority's Consultant Recommendation Committee based on the Technical Proposal and oral presentations/interview. As part of its evaluation process, the Committee will also consider the consultant's willingness to meet time requirements, consultant's projected workload, and consultant's use of Minority/Women Owned Businesses.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities.

MINORITY / WOMEN / DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: Minority / Women / Disadvantaged Business Enterprises will not be discriminated against on the basis of race, color, sex, or national origin in consideration for qualification or an award by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

LETTER OF RESPONSE DEADLINE: May 7, 2004, 3:00 p.m., Orlando local time

AUTHORITY CONTACT PERSON: Mr. Joseph A. Berenis, P.E., Deputy Executive Director, (407)316-3800

LETTER OF RESPONSE ADDRESS: Orlando-Orange County Expressway Authority, 525 S. Magnolia Avenue, Orlando, FL 32801, Re: S.R. 429/S.R. 414 Systems Interchange, Project No. 429-200

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

Correction 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, May 7, 2004. The due date for proposals previously published was incorrectly reflected as Friday, April 30, 2004.

Request for Proposals
2004/04 Development of Transitional Housing for
Victims of Domestic Violence

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide Securitization Services to submit proposals for consideration. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Friday, July 16, 2004, to: 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, e-mail: 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.

DISC VILLAGE

ADVERTISEMENT FOR REQUEST FOR PROPOSALS
NATIONAL SCHOOL LUNCH AND BREAKFAST
PROGRAM

FOR

RESPONSES TO THIS REQUEST FOR PROPOSALS (RFP) WILL BE ACCEPTED BY THE PURCHASING DEPARTMENT OF DISC VILLAGE INC UNTIL 2:00 P.M., THE 14th OF MAY, 2004, THROUGH FEDERAL EXPRESS OR CERTIFIED US MAIL AT 3333 WEST PENSACOLA STREET, SUITE 330, TALLAHASSEE, FLORIDA 32304.

THIS PROPOSAL IS SEEKING RESPONSES TO MANAGE THE FOOD AND NUTRITION SERVICES AT THE GREENVILLE HILLS ACADEMY, A JUVENILE JUSTICE RESIDENTIAL CAMPUS LOCATED IN GREENVILLE FLORIDA, THAT HAS AVERAGE DAILY MEAL SERVICE OF 179 CLIENTS AND 30 STAFF FOR BREAKFAST, LUNCH, AFTERSCHOOL SNACKS AND DINNER. THE SUCCESSFUL VENDOR WILL PROVIDE BREAKFAST, LUNCH, DINNER AND SNACK SERVICES TO COMMITTED JUVENILES, MANAGEMENT AND OTHER EMPLOYED STAFF SEVEN DAYS A WEEK 52 WEEKS A YEAR.

THE SCOPE OF WORK, PRODUCT SPECIFICATIONS, QUANTITIES, SERVICE REQUIREMENTS AND TIMELINES MAY BE OBTAINED FROM THE ADDRESS CONTAINED HEREIN. A PRE-BID CONFERENCE WILL BE HELD ON APRIL 29TH, 2004 AT GREENVILLE HILLS ACADEMY AT 10:00 A.M. TO DISCUSS THE PROPOSAL DOCUMENT AND ANSWER QUESTIONS.

ANY REQUEST TO AMEND THE BID DOCUMENT MUST BE RECEIVED BY (10) WORKING DAYS PRIOR TO THE PROPOSAL OPENING. ANY AMENDMENT(S) RESULTING FROM SUCH A REQUEST WILL BE MAILED OUT TO ALL REGISTERED VENDORS NO LESS THAN FIVE DAYS PRIOR TO THE BID OPENING.

THE SPONSOR RESERVES THE RIGHT TO REJECT ANY AND ALL RESPONSES, WAIVE INFORMALITIES, AND TO ACCEPT THE LOWEST AND/OR BEST RESPONSE IN THE JUDGEMENT OF THE SPONSOR'S GOVERNING BOARD. THE SPONSOR RESERVES THE RIGHT TO NEGOTIATE WITH THE MOST QUALIFIED VENDOR(S) WHOSE RESPONSE BEST MEETS THE NUTRITIONAL AND ECONOMIC NEEDS OF THIS INSTITUTION.

ALL QUESTIONS CONCERNING THIS ADVERTISEMENT SHOULD BE DIRECTED TO:

MIKE SASNETT
EMAIL: MSASNETT@DISCVILLAGE.COM
PHONE NUMBER: (850)575-4388, Ext. 321
FAX NUMBER: (850)576-3317

FIRST ADVERTISED ON THIS DATE: APRIL 9, 2004

Section XII Miscellaneous

DEPARTMENT OF REVENUE

NOTICE OF ADOPTION OF COMMUNICATIONS SERVICES TAX

ADDRESS/JURISDICTION DATABASE

Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic siting database that assigns customer service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the database, as posted on April 2, 2004, becomes effective on July 1, 2004. The siting database can be accessed at <http://geotax.state.fl.us>. The next update to the database will be effective January 1, 2005, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the January 1, 2005, update no later than September 3, 2004. Additional information concerning procedures for requesting changes and additions to the database is available from the Department of Revenue Communications Services Tax Local Government Unit by telephone (850)921-9181, Suncom 291-9181, e-mail: cs-tax@dor.state.fl.us. Hearing and speech-impaired persons may call the TDD line, 1(800)367-8331 or (850)922-1115, Suncom 292-1115.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Tom's Cars Inc., as a dealership for the sale of Yumbo motorcycles at 1904 N. Pine Ave., Ocala, (Marion County), Florida 34475 on or after March 26, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Tom's Cars Inc. are dealer operator(s) and principal investor(s): Fred Lambes 11308 N. W. SR 45, High Springs, FL 32643 and Tom Hemenway, P. O. Box 9035, Ocala, FL 34479.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, 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: Roberto Orenstein, Sales Manager, Mod Cycles Corp., 7547 N. W. 52nd Street, Miami, FL 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE OF FINAL AGENCY ACTION BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

Notice is given that the District's Final Agency Action is approval of an ERP General Construction permit on 8.35 acres (of 70.14 acre property) to serve the project known as Interchange Business Center – Lot 3. The project is located in Hillsborough County, Section 31 Township 29 South, Range 20 East, and Section 36, Township 29 South, Range 19 East. The permit applicant is James G. Willard on behalf of the owner, whose address is 300 S. Orange Avenue Suite 1000, Orlando, FL 32801. The permit number is 44020472.004.

The file(s) pertaining to the project referred to above is available for inspection Monday through Friday except for legal holidays, 8:00 a.m. to 5:00 p.m., at the Southwest Florida Water Management District (District), 2379 Broad Street, Brooksville, FL 34609-67899.

NOTICE OF RIGHTS

Any person whose substantial interests are affected by the District's action regarding this permit may request an administrative hearing in accordance with Section 120.569 and 120.57, Florida Statutes (F.S.), and Chapter 28-106, Florida Administrative Code (F.A.C.), of the Uniform Rules of Procedure. A request for hearing must (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's action or final action; (2) state all

material facts disputed by each person requesting the hearing or state that there are no disputed facts; and (3) otherwise comply with Chapter 28-106, F.A.C. A request for hearing must be filed with and received by the Agency Clerk of the District at the District's Brooksville address, 2379 Broad Street, Brooksville, FL 34604-6899 within 21 days of publication of this notice (or within 14 days for an Environmental Resource Permit with Proprietary Authorization for the use of Sovereign Submerged Lands). Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Sections 120.569 and 120.57, F.S.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the District's final action may be different from the position taken by it in this notice of final agency action. Persons whose substantial interests will be affected by any such final decision of the district on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding the District's final action in this matter is not available prior to the filing of a request for hearing.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Pinellas District: 5
ID # 0300030 Decision: A Issue Date: 3/24/2004
Facility/Project: All Children's Hospital
Applicant: All Children's Hospital, Inc.

Project Description: Construct an on-site replacement hospital
Proposed Project Cost: \$270,000,000

County: Jackson District: 2
ID # 0300031 Decision: A Issue Date: 4/1/2004
Facility/Project: Sunland Center Marianna – Facility III
Applicant: State of Florida

Project Description: Construct an on-site replacement ICF facility of 44 beds

Proposed Project Cost: \$150,309

County: Bay District: 2
ID # 0300032 Decision: A Issue Date: 4/2/2004
Facility/Project: Bay Medical Center
Applicant: Bay Medical Center

Project Description: Delicense eight skilled nursing beds and 22 adult psychiatric beds
Proposed Project Cost: \$0

County: Bay District: 2
ID # 0300033 Decision: A Issue Date: 4/2/2004
Facility/Project: Bay Medical Center
Applicant: Bay Medical Center
Project Description: Convert 10 skilled nursing beds to 10 acute care beds

Proposed Project Cost: \$0
County: Palm Beach District: 9
ID # 0300034 Decision: A Issue Date: 4/1/2004
Facility/Project: Wellington Regional Medical Center
Applicant: Wellington Regional Medical Center, Inc.
Project Description: Establish adult inpatient diagnostic cardiac catheterization services

Proposed Project Cost: \$2,000,000
County: Lee District: 8
ID # 0300035 Decision: A Issue Date: 4/1/2004
Facility/Project: Gulf Coast Hospital
Applicant: Doctor's Osteopathic Medical Center, Inc.
Project Description: Convert 10 hospital-based skilled nursing beds to 10 acute care beds
Proposed Project Cost: \$0

CERTIFICATE OF NEED

DECISIONS ON EXPEDITED APPLICATIONS

The Agency For Health Care Administration made the following decisions on Certificate of Need applications for expedited review:

County: Dade Service District: 11
CON #: 9779 Decision Date: 4/6/2004 Decision: A
Facility/Project: Mt. Sinai Medical Center
Applicant: Mt. Sinai Medical Center of Florida Inc.
Project Description: Convert 24 acute care beds to 24 adult psychiatric beds
Approved Cost: \$597,977.

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on April 2, 2004, concerning certificate of need decisions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine substantial interest of person. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern

themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F. S., as well as Section 28-5.111 and 28-5.207, F. A. C. In deference to rights of substantially affected person, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

- CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
- NA Denial, extension for the use of 17 sheltered nursing beds by persons who are not continuing care residents, Devonshire Associates, Ltd. d/b/a Chatsworth At PGA National, (PRH) same as applicant
- 9729 Denial, establish a hospice program, Volusia County, Coastal Hospice, Inc., (PRH) same as applicant
- 9730 Denial, establish a hospice program, Volusia County, Heartland Hospice Services of Florida, Inc., (PRH) same as applicant
- 9731 Approval, establish a hospice program, Volusia County, Hospice of the Palm Coast, (PRH) Coastal Hospice, Inc.
- 9731 Approval, establish a hospice program, Volusia County, Hospice of the Palm Coast, (PRH) Heartland Hospice Services of Florida, Inc.
- 9731 Approval, establish a hospice program, Volusia County, Hospice of the Palm Coast, (PRH) Halifax Hospice, Inc. d/b/a Hospice of Volusia – Flagler
- 9731 Approval, establish a hospice program, Volusia County, Hospice of the Palm Coast, (PRH) Vitas Healthcare Corporation of Central Florida
- 9732 Denial, establish a hospice program, Volusia county, Vitas Healthcare Corporation of Central Florida, (PRH) same as applicant
- 9735 Denial, establish a new hospice program, Orange County, Heartland Hospice Services of Florida, Inc., (PRH) same as applicant
- 9737 Denial, establish a new hospice program, Charlotte County, Hope of Southwest Florida, Inc., (PRH) same as applicant
- 9737 Support denial, establish a new hospice program, Charlotte County, Hope of Southwest Florida, Inc., (PRH) Heartland Hospice Services of Florida, Inc.
- 9738 Denial, establish a new hospice program, Charlotte and Desoto Counties, Heartland Hospice Services of Florida, Inc., (PRH) same as applicant
- 9738 Support Denial, establish a new hospice program, Charlotte and Desoto Counties, Heartland Hospice Services of Florida, Inc., (PRH) Hope of Southwest Florida, Inc.
- 9739 Denial, establish a new hospice program, Collier County, Hope of Southwest Florida, Inc., (PRH) same as applicant

- 9739 Support denial, establish a new hospice program, Collier County, Hope of Southwest Florida, Inc., (PRH) Heartland Hospice Services of Florida, Inc.
- 9740 Denial, establish a new hospice program, Collier County, Heartland Hospice Services of Florida, Inc., (PRH) same as applicant
- 9740 Support denial, establish a new hospice program, Collier County, Heartland Hospice Services of Florida, Inc., (PRH) Hope of Southwest Florida, Inc.
- 9742 Denial, establish a new hospice program, Indian River County, Heartland Hospice Services of Florida, Inc., (PRH) same as applicant

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 April 5, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Ronald Harris, M.D., license number ME 31526. 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 April 5, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Sean Lappin, R.N., license number RN 9182550. 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 April 5, 2004, John O. Agwunobi, M.D., M.B.A., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Molly Kirkpatrick, ARNP, CRNA, license number AN 2602442. 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 a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at http://www.dbf.state.fl.us/banking/cu_expansion.html.

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., May 7, 2004):

Name and Address of Applicant: Pinellas County Teachers Credit Union, Post Office Box 2650, Largo, Florida 33779-2650

Expansion Includes: Geographic

Received: April 5, 2004

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

EXECUTIVE DIRECTOR

The Florida Developmental Disabilities Council is seeking an Executive Director. Candidates must have excellent leadership skills and writing and communication skills, an understanding of the Florida service delivery system and the ability to advocate on behalf of individuals with developmental disabilities.

Strengths should include: representational skills, interpersonal skills, conflict management, team-building, collegiality, computer skills, fiscal management and a strong personal commitment to the mission of the Florida Developmental Disabilities Council. The FDDC is a 501(c)(3) organization committed to principles of inclusion, choice, and diversity.

The Executive Director reports to the Board of Directors. The Board of Directors makes decisions by majority and the Executive Director must be comfortable working within this decision-making model. The Executive Director is responsible for supervising staff, ensuring the council's fiscal integrity, and must have the ability to travel 4-5 weeks per year.

This position requires a master's degree in a related field. In some cases, professional experience may be substituted for a degree.

How to Apply:

Interested candidates should submit a resume, recent references, salary requirements, a writing sample and a narrative explaining personal and professional motivation to SEARCH COMMITTEE FDDC by email: toniv.fddc@nettally.com (preferred method) or by mail: 124 Marriott Drive, Suite 203 Tallahassee, FL 32301

Closing Date: May 10, 2004. Resumes accepted after that date if position still open.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILES BETWEEN March 29, 2004
 and April 2, 2004

Rule No.:	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

5B-40.0055	4/2/04	4/22/04	30/4	
5B-57.001	3/29/04	4/18/04	29/52	30/7
5B-57.003	3/29/04	4/18/04	29/52	
5B-57.004	3/29/04	4/18/04	29/52	30/7
5B-57.005	3/29/04	4/18/04	29/52	
5B-57.006	3/29/04	4/18/04	29/52	
5B-57.010	3/29/04	4/18/04	29/52	30/7

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

59B-9.010	3/29/04	4/18/04	30/5	
59B-9.013	3/29/04	4/18/04	30/5	
59B-9.014	3/29/04	4/18/04	30/5	
59B-9.015	3/29/04	4/18/04	30/5	
59B-9.018	3/29/04	4/18/04	30/5	
59B-9.019	3/29/04	4/18/04	30/5	
59B-9.020	3/29/04	4/18/04	30/5	

DEPARTMENT OF MANAGEMENT SERVICES

State Retirement Commission

60R-1.00481	3/31/04	4/20/04	29/52	30/10
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barber's Board

61G3-21.014	3/31/04	4/20/04	29/45	30/10
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Rule No.:	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-5.002	3/31/04	4/20/04	30/9	
64B3-5.004	3/31/04	4/20/04	30/9	
64B3-5.007	3/31/04	4/20/04	30/9	
64B3-5.008	3/31/04	4/20/04	30/9	

Board of Medicine

64B8-1.007	3/30/04	4/19/04	29/48	30/10
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Board of Osteopathic Medicine

64B15-14.009	3/30/04	4/19/04	29/40	29/52
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Board of Physical Therapy Practice

64B17-2.001	3/29/04	4/18/04	30/9	
64B17-2.005	3/29/04	4/18/04	30/9	
64B17-5.002	3/29/04	4/18/04	30/9	
64B17-6.001	3/29/04	4/18/04	30/9	
64B17-7.002	3/29/04	4/18/04	30/9	
64B17-7.005	3/29/04	4/18/04	30/9	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

65C-21.001	3/31/04	4/20/04	30/1	
65C-21.003	3/31/04	4/20/04	30/1	

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-6.012	4/1/04	4/21/04	29/42	30/8
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DEPARTMENT OF THE LOTTERY

53ER04-19	4/1/04	4/1/04	30/16	
53ER04-20	4/1/04	4/1/04	30/16	
53ER04-21	4/1/04	4/1/04	30/16	