

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE CHAPTER TITLE: Open Burning
 RULE CHAPTER NO.: 5I-2

PURPOSE AND EFFECT: The purpose of the rule development is to amend Rule Chapter 5I-2, F.A.C., in general to simplify and clarify the open burning rules and procedures.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development deletes definitions that are no longer necessary, and adds some new definitions to further clarify the rule. Defines under what conditions the Division can withhold authorizations when public health and safety are threatened. The proposed rule separates and defines the obligations of individuals (Certified and Un-Certified) requesting authorization to burn from the Division of Forestry. The proposed rule includes what a prescribed burn prescription must contain in order to be approved. The language of the proposed rule has been simplified to facilitate the understanding of all Floridians.

SPECIFIC AUTHORITY: 570.07(23), (28), 590.02(1)(f) FS.

LAW IMPLEMENTED: 570.07(28), 570.548, 590.02(1)(b), 590.02(1)(f), 590.125 FS.

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

TIME AND DATE: 9:30 a.m., July 20, 2004

PLACE: Doyle Conner Complex, Eyster Auditorium, 3125 Conner Blvd., Tallahassee Florida 32399-1650

TIME AND DATE: 9:30 a.m., July 22, 2004

PLACE: Holiday Inn Crown Plaza, 10221 Princess Palm Ave., Tampa, FL 33610

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Jim Brenner, Fire Management Administrator, 3125 Conner Blvd., Tallahassee, Florida 32399-1650, Telephone: (850)488-6111, FAX: (850)488-4445, E-Mail: brennej@doacs.state.fl.us

The purpose of the workshop is to develop a draft revision of Chapter 5I-2, F.A.C., preliminary text is not available at this time.

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to review the documents should contact Jim Brenner at (850)488-6111.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

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

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to amend the Rule and Aquaculture Best Management Practices Manual, October 2002.

SUBJECT AREA TO BE ADDRESSED: Amendments to the Rule and Aquaculture Best Management Practices Manual, October 2002.

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

LAW IMPLEMENTED: 597.002, 597.003, 597.004 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kal Knickerbocker, Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301, Phone: (850)488-4033

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: Residency For Tuition Purposes
 RULE NO.: 6A-10.044

PURPOSE AND EFFECT: Amends the current Residency Rule to establish clearer requirements for use by institutions in making student residency determinations.

SUBJECT AREA TO BE ADDRESSED: Residency for Tuition Purposes.

SPECIFIC AUTHORITY: 1009.21(11) FS.

LAW IMPLEMENTED: 1009.21 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ADVERTISED IN A FUTURE EDITION OF THE FLORIDA ADMINISTRATIVE WEEKLY.

Requests for the rule development workshop should be addressed to Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Connie Graunke, Executive Director, Florida Center for Advising & Academic Support, 325 W. Gaines Street, Suite 1652, Turlington Building, Tallahassee, Florida 32399; (850)245-9536

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-10.044 Residency for Tuition Purposes.

~~The purpose of this rule is to establish 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.

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

~~(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.~~

~~(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 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 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; and

6. The student provides written or electronic verification that he or she has been issued two of the following three Florida documents that are dated more than 12 months old: a 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 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; and

5. The mother, father or legal guardian claiming Florida residence provides written or electronic verification that he or she has been issued two of the following three Florida documents that are dated more than 12 months old: a 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 Laws.

(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 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 at a public postsecondary institution or the student will not be classified as a resident for tuition purposes for that term. For private postsecondary institutions all documentation establishing the fact that a student is a resident eligible for state financial assistance under Section 1009.89 or 1009.40, Florida Statutes, shall be presented prior to the deadline date for filing state reports for financial aid. 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 ~~1009.21 240.1204~~ FS. History--New 10-6-92, Amended 10-17-00, _____.

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: Use of Force
 RULE NO.: 33-602.210

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that videotaping is not required for the administration of chemical agents on an inmate creating a disturbance in his or her cell when the officer is attempting to resolve the situation without extracting the inmate from the cell.

SUBJECT AREA TO BE ADDRESSED: Use of force.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.35 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.210 Use of Force.

(1) No change.

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

(3) through (20) No change.

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Protective Management
 RULE NO.: 33-602.221

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide clarification through: correction of staff and office titles; substitution of terms that more accurately describe department operations; and placement of a reference to an incorporated form in a more appropriate location within the rule.

SUBJECT AREA TO BE ADDRESSED: Protective Management.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.34, 945.04 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.221 Protective Management.

(1) No change.

(2) Procedures for placement in Protective Management.

(a) through (c) No change.

(d) When the SCO determines that protective management is appropriate for an inmate, the inmate shall be interviewed by the housing supervisor and a review shall be initiated to assess the inmate's potential risk to or from other inmates in the unit. The completion of this review will be documented on Form DC6-235, Record of Protective Management. Form DC6-235 is incorporated by reference in subsection ~~(9)~~(10) of this rule. If the inmate can not be placed for this reason the housing supervisor shall place or maintain the inmate in administrative confinement until the issue can be expeditiously resolved. The case shall be immediately forwarded to the ICT for review. The ICT shall review the case and interview the inmate and forward recommendations to the SCO. The SCO shall review the case and may interview the inmate and make a final decision to resolve protection.

(3) Protective Management Facilities.

(a) The number of inmates housed in protective management housing units shall not exceed the number of beds in the cell. Exceptions may be made during an emergency situation as approved by the warden or duty warden, but such exceptions shall not continue for more than 24 hours without the specific written authorization of the regional director of institutions or designee. Prior to placing inmates in the same cell, a determination shall be made by the housing supervisor that none of the inmates constitute a threat to any of the others, and document such on Form DC6-235, Record of Protective Management.

(b) through (d) No change.

(4) Conditions and Privileges.

(a) No change.

(b) Bedding and linen – Bedding and linen shall be issued and exchanged for protective management inmates the same as for the general inmate population. Any exceptions shall be based on potential harm to individuals or a threat to the security of the institution. The shift supervisor or the housing confinement lieutenant must approve the action initially. Such exceptions shall be documented on Form DC6-235, Record of Protective Management, and the chief of security shall make the final decision in regard to the appropriateness of the action no later than the next working day following the action.

(c) through (t) No change.

(5) Work Assignments.

(a) Within 10 days of the protective management determination, work opportunities consistent with medical grades shall be available to inmates in protective management during the day, evening or night hours. All inmates shall be provided the opportunity for work assignments regardless of medical grade except when precluded by doctor's orders for medical reasons. Work shall be cancelled for an individual inmate or a work squad when staff concludes the work or work assignment would subject the inmate to danger or if adequate staff protection is not available. Each occurrence of work cancellation will be documented with reasons for the action on Form DC6-210, Incident Report, and shall be reviewed by the warden or ICT the next working day. Form DC6-210 is incorporated by reference in subsection 33-602.210(9), F.A.C. Refusal of a work assignment shall result in disciplinary action pursuant to Rules 33-601.301-601.314, F.A.C. Inmates who refuse work assignments will not be allowed other housing unit activities. Inmates ~~Those~~ who accept work assignments shall be subject to awards of gain time pursuant to Rule 33-601.101, F.A.C., in the same manner as general population.

(b) No change.

(6) Restraint and Escort Requirements.

(a) No change.

(b) Protective management inmates shall be subject to searches in the same manner as open ~~general~~ population inmates in accordance with Rule 33-602.204, F.A.C.

(7) Contact by Staff.

(a) The following staff members shall be required to officially inspect and tour the protective management unit. All visits by staff shall be documented on Form DC6-228, Inspection of Special Housing Record. The staff member shall also document his or her visit on the Record of Protective Management, Form DC6-235, if, during the official visit by staff, any discussion of significance, action or behavior of the inmate occurs or any information is obtained which may have an effect on the status of protective management. These visits shall be conducted at a minimum of:

1. through 7. No change.

8. Weekly ~~At least once a week~~ by a classification officer.

9. No change.

(b) Any inmate who has demonstrated behavior that is or could be harmful to him or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, health services staff ~~the medical department~~ shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or health care staff provides observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered

a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229, Daily Record of Segregation, and followed with an Incident Report, Form DC6-210. Form DC6-229 and Forms DC4-650 are incorporated by reference in subsection 33-602.220(11), F.A.C.

(8) Review of Protective management.

(a) The Institutional Classification Team shall review inmates in protective management weekly ~~every week~~ for the first 60 days. The purpose of this review will ~~goal shall be to return toward returning~~ the inmate to general population as soon as the facts of the case indicate that this can be done safely.

(b) through (e) No change.

(9) Protective Management Records.

(a) through (b) No change.

(c) A Record of Protective Management, Form DC6-235 shall be maintained for each inmate as long as the inmate is in protective management. Once the inmate is released from protective management, Form DC6-235 will be forwarded to classification to be filed in the institutional inmate record. This form shall be used to record any action, remarks or disposition made on a specific inmate. Notations shall be made on Form DC6-235 by health services ~~medical~~ staff, the ICT, the SCO or other staff dealing directly with the inmate. If items are denied or removed from the inmate, the senior correctional officer on duty must approve the action. The central office ADA coordinator will be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate of equal opportunity as a non-disabled inmate. The items denied or removed will be documented on the Form DC6-235 and the chief of security will make the final decision in regard to the appropriateness of that action no later than the next working day following this action. The housing supervisor will document any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action will also be documented. Form DC6-235, Record of Protective Management, 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 the form is January 19, 2003.

(d) No change.

~~(10) Form DC6-235, Record of Protective Management, 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 the form is January 19, 2003.~~

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 945.04 FS. History—New 6-23-83, Formerly 33-3.082, Amended 3-12-84, 7-10-90, 12-4-90, 4-26-98, Formerly 33-3.0082, Amended 2-12-01, 1-19-03, 4-1-04, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Prescribed Drug Services
 RULE NO.: 59G-4.250

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Prescribed Drug Services, Coverage, Limitations and Reimbursement Handbook, July 2004. This version of the handbook contains revisions related to the legislative changes in the years 2002, 2003 and 2004. The effect will be to incorporate by reference in the rule the current Florida Medicaid Prescribed Drug Services Coverage, Limitations and Reimbursement Handbook.

SUBJECT AREA TO BE ADDRESSED: Prescribed Drug Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906(20), 409.908, 409.912, 409.9081 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS BY AN AFFECTED PERSON AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 9:00 a.m., July 14, 2004

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, FL 32308
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Julie Davis, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 38, Tallahassee, FL 32308-5407, (850)487-4441

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.250 Prescribed Drug Services.

(1) No change.

(2) All participating prescribed drug services providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Prescribed Drug Services Coverage, Limitations and Reimbursement Handbook, July 2004, ~~July 2001~~, which is incorporated by reference, and available from the fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906(20), 409.908, 409.912 FS. History—New 1-1-77, Amended 6-30-77, 10-1-77, 2-1-78, 4-1-78, 9-28-78, 6-1-79, 2-28-80, 11-11-81, 7-3-84, Formerly 10C-7.42, Amended 3-11-86, 12-5-88, 6-4-90, 10-29-90, 5-20-92, 4-11-93, Formerly 10C-7.042, Amended 12-28-95, 8-3-97, 2-11-98, 9-13-99, 7-20-00, 7-1-01, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Nursing Home Services
 RULE NO.: 59G-6.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology, effective July 1, 2004, to provide the following changes based on House Bill 1835, General Appropriations Act 2004-05, Specific Appropriation 232.

1. Effective July 1, 2004 and all subsequent rate semesters, each component of a nursing home rate, except for the direct care component, shall be reduced proportionately until an aggregate total estimated savings of \$66,689,094 is achieved on an annualized basis.

2. Cost reports submitted on or after July 1, 2004, must include the following statement immediately preceding the dated signature of the provider’s administrator or chief financial officer: “I certify that I am familiar with the laws and regulations regarding the provision of health care services under the Florida Medicaid program, including the laws and regulations relating to claims for Medicaid reimbursements and payments, and that the services identified in this cost report were provided in compliance with such laws and regulations.”

SUBJECT AREA TO BE ADDRESSED: Nursing home reimbursement rates and cost reports.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 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., July 13, 2004

PLACE: 2727 Mahan Drive, Conference Room D, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Robert Butler, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)414-2756

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: RULE NO.:

Payment Methodology for Inpatient 59G-6.020
 Hospital Services

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan payment methodology, effective July 1, 2004, to provide the following changes:

1. \$47,497,222 is provided for special Medicaid payments to statutory teaching hospitals; family practice teaching hospitals; hospitals providing primary care to low-income individuals; hospitals operating as designated or provisional trauma centers; and rural hospitals. Statutory teaching hospitals that received a special Medicaid payment in State Fiscal Year 2003-04 shall be paid \$12,203,921 distributed in the same proportion as the State Fiscal Year 2003-04 special Medicaid payments to statutory teaching hospitals. Family practice teaching hospitals shall be paid \$2,330,882 distributed equally between the hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program in state Fiscal Year 2003-04 shall be paid \$12,203,921 distributed in the same proportion as the Primary Care DSH payments for State Fiscal Year 2003-04. Hospitals designated as provisional trauma centers shall be paid \$12,375,000. Of this amount, \$5,355,000 shall be distributed equally between hospitals that are a Level I trauma center; \$4,500,000 shall be distributed equally between hospitals that are either a Level II or pediatric trauma center; and \$2,520,000 shall be distributed equally between hospitals that are both a Level II and pediatric trauma center. Of the amount payable to the Level I trauma centers, \$765,000 is reserved for Shands Teaching Hospital, upon their becoming a designated or provisional trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$8,383,500 distributed in the same proportion as the DSH payments.
2. \$2,000,000 is provided for special Medicaid payments to specialty pediatric facilities. To qualify for a special Medicaid payment under this section a hospital must be licensed as a children's specialty hospital and their combined Medicaid managed care and fee for service days as a percentage to total inpatient days equals or exceeds 30 percent. The agency shall use the 2002 Financial Hospital Uniform Reporting System (FHURS) data to determine the combined Medicaid managed care and fee-for-service days. The total special Medicaid payments made shall be distributed equally to the qualifying hospitals.
3. \$46,910,529 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equal or exceed 11 percent. The agency shall use the average of the 1998, 1999 and 2000 audited DSH data available as of

March 1, 2004. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency will use the average of the audited DSH data for 1998, 1999, and 2000 that are available.

4. \$19,477,766 is provided to eliminate the inpatient hospital reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceed 9.6 percent, and are trauma centers. The agency shall use the average of the 1998, 1999 and 2000 audited DSH data available as of March 1, 2004. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency will use the average of the audited DSH data for 1998, 1999 and 2000 that are available.

5. \$103,495,651 is provided to make special Medicaid payments to hospitals that serve as a safety net in providing emergency, specialized pediatric trauma services and inpatient hospital care to low-income individuals. These amounts shall be paid to the following:

Jackson Memorial Hospital	\$3,322,365
University Medical Center – Shands	\$44,418,270
All Children's Hospital	\$6,637,413
Shands Teaching Hospital	\$7,703,253
Tampa General Hospital	\$18,914,451
Orlando Regional Medical Center	\$5,560,262
Lee Memorial Hospital/CMS	\$950,000
St. Mary's Hospital	\$291,706
Miami Children's Hospital	\$5,400,000
Broward General Medical Center	\$330,366
Tallahassee Memorial Healthcare	\$54,402
St. Joseph's Hospital	\$52,835
Florida Hospital	\$55,072
Baptist Hospital of Pensacola	\$450,000
Mt. Sinai Medical Center	\$8,972,075
Bayfront Medical Center	\$215,975
Sacred Heart Hospital	\$166,977

6. \$406,672,080 is provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals.

7. \$182,616,639 is provided to eliminate the inpatient reimbursement ceilings for teaching, specialty, Community Hospital Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the certificate of need program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation.

8. \$3,183,014 is provided to make special Medicaid payments to the hospitals. These payments may be used, in collaboration with the Department of Health, to provide funding for hospitals providing poison control programs.

9. Special Medicaid payments to reward hospitals enhancing medical education programs are discontinued.

10. \$7,299,270 is provided to make special Medicaid payments to hospitals. These payments may be used, in collaboration with the Department of Health, to provide funding for hospitals supporting primary care services in medically underserved areas.

11. Effective July 1, 2004 and all subsequent rate semesters, each inpatient rate shall be reduced proportionately until an aggregate total estimated savings of \$69,662,000 is achieved on an annualized basis. In reducing hospital inpatient rates, rural hospitals and hospitals with twenty thousand (20,000) or more combined Medicaid managed care and fee-for-service inpatient days shall not have their inpatient rates reduced below the final rates that are effective on June 30, 2004. The 2002 Financial Hospital Uniform Reporting System (FHURS) data shall be used to determine the combined inpatient Medicaid days.

12. \$26,296,287 is payable to the following hospitals: Jackson Memorial Hospital – \$13,999,408; Broward General Medical Center – \$6,298,136; North Broward Medical Center – \$1,827,884; Coral Springs Medical Center – \$622,184; Imperial Point Hospital – \$756,557; and Memorial Regional Hospital – \$2,792,118. These funds are additional disproportionate share dollars provided through the Medicare Prescription Drug Act for Federal Fiscal Year 2004.

13. Cost reports submitted on or after July 1, 2004, must include the following statement immediately preceding the dated signature of the provider’s administrator or chief financial officer: “I certify that I am familiar with the laws and regulations regarding the provision of health care services under the Florida Medicaid program, including the laws and regulations relating to claims for Medicaid reimbursements and payments, and that the services identified in this cost report were provided in compliance with such laws and regulations.”

14. Cost reports beginning January 1, 2005 and later shall report all allowable direct and indirect graduate medical education (GME) costs within inpatient cost centers. No GME costs shall be reported in outpatient cost centers.

SUBJECT AREAS TO BE ADDRESSED: Special Medicaid payments, Florida Medicaid upper payment limit (UPL), DSH formulas, and cost reporting issues.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 10:00 a.m., July 13, 2004

PLACE: 2727 Mahan Drive, Conference Room D, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Robert Butler, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120-B, Tallahassee, Florida 32308, (850)414-2759

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT THIS TIME. PLEASE CONTACT THE PERSON LISTED ABOVE FOR A COPY OF THE PLAN.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Outpatient Hospital Services **RULE NO.:** 59G-6.030

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to incorporate changes to the Florida Title XIX Outpatient Hospital Reimbursement plan (the Plan) payment methodology. Effective July 1, 2004, the proposed rates for Medicaid outpatient hospitals will be rates resulting from the revised methodology used to calculate per diems including appropriations from the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 206.

1. \$46,058,449 is provided to increase the outpatient cap for adults from \$1,000 to \$1,500 per year and to eliminate the outpatient reimbursement ceilings for teaching, specialty, Community Health Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the certificate of need program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation.

2. \$9,194,434 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total adjusted hospital days equals or exceeds 11 percent. The agency shall use the average of the 1998, 1999 and 2000 audited Disproportionate Share Hospital (DSH) data available as of March 1, 2004. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency will use the average of the audited DSH data for 1998, 1999 and 2000 that are available.

3. \$769,913 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceed 9.6 percent, and are trauma centers. The agency shall use the average of the 1998, 1999 and 2000 audited DSH data available as of March 1, 2004. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency will use the average of the audited DSH data for 1998, 1999 and 2000 that are available.

4. Cost reports submitted on or after July 1, 2004, must include the following statement immediately preceding the dated signature of the provider’s administrator or chief financial officer: “I certify that I am familiar with the laws and regulations regarding the provision of health care services under the Florida Medicaid program, including the laws and regulations relating to claims for Medicaid reimbursements and payments, and that the services identified in this cost report were provided in compliance with such laws and regulations.”

5. Cost reports beginning January 1, 2005 and later shall not include any direct or indirect graduate medical education (GME) costs in any outpatient cost center. All GME costs are to be reported and/or allocated to inpatient cost centers.

6. Effective July 1, 2004 and all subsequent rate semesters, each outpatient rate shall be reduced proportionately until an aggregate total estimated savings of \$14,103,000 is achieved on an annualized basis. In reducing hospital outpatient rates, rural hospitals and hospitals with twenty thousand (20,000) or more combined Medicaid managed care and fee-for-service inpatient days shall not have their outpatient rates reduced below the final rates that are effective on June 30, 2004. The 2002 Financial Hospital Uniform Reporting System (FHURS) data shall be used to determine the combined inpatient Medicaid days.

SUBJECT AREA TO BE ADDRESSED: Outpatient hospital reimbursement rates, ceilings, and cost reports.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 11:00 a.m., July 13, 2004

PLACE: 2727 Mahan Drive, Conference Room D, Building 3, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robert C. Butler, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Tallahassee, Florida 32308, (850)414-2756

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known As ICF/DD Facilities) RULE NO.: 59G-6.045

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not publicly owned and not publicly operated Reimbursement Plan (the Plan) in accordance with the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 231.

The purpose and the effect of the proposed amendment is:

1. Effective July 1, 2004, individual rates shall be reduced proportionately by an estimated aggregate total of \$4,788,000 per state fiscal year. The full amount of the estimated reduction of \$4,788,000 shall be applied to the rates in effect from October 1, 2004 through June 30, 2005, then annually thereafter.

2. Cost reports submitted on or after July 1, 2004, must include the following statement immediately preceding the dated signature of the provider’s administrator or chief financial officer: “I certify that I am familiar with the laws and regulations regarding the provision of health care services under the Florida Medicaid program, including the laws and regulations relating to claims for Medicaid reimbursements and payments, and that the services identified in this cost report were provided in compliance with such laws and regulations.”

3. Change from “Health Care Financing Administration (HCFA)” to “Centers for Medicare and Medicaid Services (CMS).”

4. Updates to Code of Federal Regulation (CFR), Florida Administrative Code (FAC), and Florida Statute references.

5. Vacancy interim rates will be prohibited unless the bed(s) in question has been empty for at least 90 days (the waiting period), the facility has an occupancy rate of at least 95%, and the effected reimbursement rate is based upon patient days that included occupancy of the bed(s). The vacancy interim rate will not cover the 90-day waiting period.

6. The period between the exit conference from an audit and the date the cost report is deemed audited will be increased from 30 days to 60 days.

SUBJECT AREA TO BE ADDRESSED: Florida Medicaid Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not publicly owned and not publicly operated reimbursement methodology.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 2:00 p.m., July 13, 2004

PLACE: 2727 Mahan Drive, Conference Room D, Building 3, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Robert C. Butler, Bureau Chief, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2106-B, Tallahassee, Florida 32308, (850)414-2759

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE CONTACT PERSON LISTED ABOVE

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Medicaid Contracts for Prepaid Health Plans
 RULE NO.: 59G-8.100

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate changes to the Payment Methodology for Participating Medicaid Managed Health Care Plans, effective July 1, 2004, to provide the following changes based on House Bill 1843, 2004-2005 Florida Legislature.

The Agency is amending the rule to:

1. Revise the methodology regarding trend factors;
2. Revise fee-for-service base for groups enrolled for part of a year; and
3. Revise methodology for behavioral health care services.

SUBJECT AREAS TO BE ADDRESSED: Payment methodology for participating Medicaid managed health care plans.

SPECIFIC AUTHORITY: 409.9124, 409.919 FS.

LAW IMPLEMENTED: 409.9124(1) 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: 3:00 p.m., July 13, 2004

PLACE: 2727 Mahan Drive, Conference Room D, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Robert Butler, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)414-2756

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME. PLEASE CONTACT THE PERSON LISTED ABOVE FOR A COPY WHEN IT IS AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE TITLE: Percentage of Gross Pilotage Assessed
 RULE NO.: 61G14-19.001

PURPOSE AND EFFECT: The Board intends to review the rule and determine whether changes to the rule are necessary.

SUBJECT AREA TO BE ADDRESSED: Percentage of gross pilotage.

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Spivey, Executive Director, Board Pilot Commissioners, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLE: Definitions
 RULE NO.: 61G15-18.011

PURPOSE AND EFFECT: This rule is being amended to delete obsolete terminology, update and clarify terminology pursuant to Chapter 471, F.S., as it relates to the practice of professional engineering.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 471.003(2)(f), 471.008, 471.013(1)(a)1., 2. FS.

LAW IMPLEMENTED: 471.003(2)(f), 471.005(6), 471.013(1)(a)1., 2., 471.025(3), 471.033(1)(j) 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: Carrie Flynn, Acting Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-18.011 Definitions.

As used in Chapter 471, F.S., and in these rules where the context will permit the following terms have the following meanings:

(1) "Responsible Charge" shall mean that degree of control an engineer is required to maintain over engineering decisions made personally or by others over which the engineer exercises supervisory direction and control authority. The engineer in responsible charge is the Engineer of Record as defined in subsection 61G15-30.002(1), F.A.C.

(a) The degree of control necessary for the Engineer of Record ~~an engineer to be in responsible charge~~ shall be such that the engineer:

1. Personally makes engineering decisions or reviews and approves proposed decisions prior to their implementation, including the consideration of alternatives, whenever engineering decisions which could affect the health, safety and welfare of the public are made. In making said engineering decisions, the engineer shall be physically present or, if not physically present, be available in a reasonable period of time, through the use of electronic communication devices, such as electronic mail, videoconferencing, teleconferencing, computer networking, and via facsimile transmission ~~be available in a reasonable period of time.~~

2. No change.

(b) Engineering decisions which must be made by and are the responsibility of the Engineer of Record ~~engineer in responsible charge~~ are those decisions concerning permanent or temporary work which could create a danger to the health, safety, and welfare of the public, such as, but not limited to, the following:

1. through 4. No change.

(c) As a test to evaluate whether an engineer is the Engineer of Record, in responsible charge, the following shall ~~must~~ be considered:

1. The engineer shall ~~An engineer who signs and seals engineering documents in responsible charge must~~ be capable of answering questions relevant to the engineering decisions made during the engineer's work on the project, in sufficient detail as to leave little doubt as to the engineer's proficiency for the work performed and involvement in said work. It is not necessary to defend decisions as in an adversary situation, but only to demonstrate that the engineer in responsible charge made them and possessed sufficient knowledge of the project to make them. Examples of questions to be answered by the engineer could relate to criteria for design, applicable codes and standards, methods of analysis, selection of materials and systems, economics of alternate solutions, and environmental considerations. The individuals should be able to clearly define the span and degree of control and how it was exercised and to demonstrate that the engineer was answerable within said span and degree of control necessary for the engineering work done.

2. The engineer shall be completely in charge of, and satisfied with, the engineering aspects of the project.

3. The engineer shall have the ability to review design work at any time during the development of the project and shall be available to exercise judgment in reviewing these documents.

4. The engineer shall have personal knowledge of the technical abilities of the technical personnel doing the work and be satisfied that these capabilities are sufficient for the performance of the work.

(d) No change.

(2) through (5) No change.

Specific Authority 471.003(2)(f), 471.008, 471.013(1)(a)1., 2. FS. Law Implemented 471.003(2)(f), 471.005(6), 471.013(1)(a)1., 2., 471.025(3), 471.033(1)(j) FS. History—New 6-23-80, Amended 12-19-82, 11-22-83, Formerly 21H-18.11, Amended 1-16-91, 4-4-93, Formerly 21H-18.011, Amended 12-22-99, 4-19-01, 10-16-02, _____.

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 Speech-Language Pathology and Audiology

RULE TITLE: On-the-Job Training, Role and Observation of Speech-Language Pathology and Audiology Assistants
 RULE NO.: 64B20-4.003

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: On-the-job training, role and observation of speech-language pathology and audiology assistants.

SPECIFIC AUTHORITY: 468.1135(4) FS.

LAW IMPLEMENTED: 468.1215, 468.1125(3), (4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Division of Disease Control

RULE CHAPTER TITLE: **Eligibility Requirements For HIV/AIDS Patient Care Programs** RULE CHAPTER NO.: **64D-4**

RULE TITLES: **Purpose** RULE NOS.: **60D-4.001**

Definitions **60D-4.002**

Eligibility and Documentation Requirements **60D-4.003**

Determination of Eligibility or Ineligibility **60D-4.004**

Determination of Continued Eligibility **60D-4.005**

Rights and Responsibilities **60D-4.006**

PURPOSE AND EFFECT: The purpose and effect of this new rule chapter is to establish eligibility requirements and procedures for the HIV/AIDS Patient Care Programs to serve the low-income persons living with HIV disease.

SUBJECT AREA TO BE ADDRESSED: The subject area pertains to eligibility requirements and procedures for low-income persons to receive services from the HIV/AIDS Patient Care Programs.

SPECIFIC AUTHORITY: 381.003(1)(c) FS.

LAW IMPLEMENTED: 381.011(1), 381.003(1)(c) FS.

THE BUREAU OF HIV/AIDS WILL HOLD 4 PUBLIC WORKSHOP MEETINGS FOR THE PURPOSE OF RULE DEVELOPMENT AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 1:00 – 4:00 p.m., July 8, 2004

PLACE: Capital Circle Office Center, Betty Easley Conference Center, 4075 Esplanda Way, Rm 166, Tallahassee, FL 32399-0950

TIME AND DATE: 1:00 – 4:00 p.m., July 13, 2004

PLACE: Duval County Health Department, Smith Auditorium, 515 W. 6th Street, Jacksonville, FL 32204

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

PLACE: Clayton Hutcheson Agricultural Center, 559 North Military Trail, Exhibit Hall A, West Palm Beach, FL 33415

TIME AND DATE: 1:00 – 4:00 p.m., July 27, 2004

PLACE: Broward County Health Department, Administration Center, Room 131, Auditorium, 780 SW 24th Street, Ft. Lauderdale, FL 33315

TIME AND DATE: 1:00 – 4:00 p.m., August 5, 2004

PLACE: Polk Community Center, 1255 W. Polk Street, Bartow, FL 33830

Any person requiring a special accommodation at the hearings because of a disability or physical impairment should contact the Bureau of HIV/AIDS, Program Administrator at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Bureau of HIV/AIDS using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE RULE DEVELOPMENT AND WORKSHOPS AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela McWilliams, Bureau of HIV/AIDS, 4052 Bald Cypress Way, BIN A09, Tallahassee, Florida 32399-1715, (850)245-4335. The rule development material is on-line at the Bureau of HIV/AIDS Web Page at www.MyFlorida.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64D-4.001 Purpose.

The Department of Health, Bureau of HIV/AIDS, HIV/AIDS Patient Care Programs are intended to provide primary health care and support services to low-income persons living with HIV disease, based on availability, accessibility and funding of the programs. It is the Department of Health’s responsibility to establish eligibility requirements to ensure services are provided to the individuals intended.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History—New

64D-4.002 Definitions.

For the purpose of this rule chapter, the words and phrases listed below are defined in the following manner:

(1) “Allowable services” mean the HIV/AIDS patient care services listed in the current federal Glossary of Services as referenced by the Health Resources and Services Administration, the Federal Housing and Urban Development as listed in the State HOPWA Guidelines and approved by the Department of Health, Bureau of HIV/AIDS. Allowable Services are based on availability, funding of the service and programmatic qualifications.

(2) “Application” means the Application for Eligibility Determination to Receive Allowable Services for the HIV/AIDS Patient Care Programs (DOH Form #1234), which is incorporated by reference.

(3) “Applicant” means an individual who has submitted or is in process of preparing and submitting an Application for Eligibility Determination to Receive Allowable Services for the HIV/AIDS Patient Care Programs (DOH Form #1234).

(4) “Bureau” means the Department of Health, Bureau of HIV/AIDS.

(5) “Client” means an applicant who has been determined eligible.

(6) “Department” means the Department of Health.

(7) “Eligibility Staff” means all personnel authorized by the Department to determine eligibility for the HIV/AIDS Patient Care Programs.

(8) “Federal Poverty Level” means the poverty income levels published and updated annually by the Federal Office of Management and Budget (OMB).

(9) “Household” means one or more persons living in one dwelling place who are related by blood, marriage, law or conception, and it includes persons unrelated who contribute to the economic status of the applicant.

(10) “Household Income” means spouses and all adult persons living in the household who are related or unrelated and contribute to economic status of the applicant.

(11) “HIV/AIDS Patient Care Programs” are the Ryan White Title II Consortia Program, the Ryan White Title II AIDS Drug Assistance Program, the Ryan White Title II AIDS Insurance Continuation Program, Housing Opportunities for Persons with AIDS and HIV/AIDS Patient Care Programs provided by the County Health Departments as administered by the Department of Health, Bureau of HIV/AIDS.

(12) “Low Income” means a person with a gross income less than or equal to 300% of the Federal Poverty Level (FPL) as published and updated annually by the Federal Office of Management and Budget (OMB).

(13) “Verification” means to confirm the accuracy of information through sources other than a self-declaratory statement of the applicant.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History—New _____.

64D-4.003 Eligibility and Documentation Requirements.

The eligibility and documentation requirements for determination to receive allowable services from the HIV/AIDS Patient Care Programs include the following:

(1) An applicant must submit an Application for Eligibility Determination to Receive Allowable Services for the HIV/AIDS Patient Care Programs (DOH Form #1234).

(2) All requested information and documentation must be included with the application or provided to eligibility staff during the eligibility process. Failure to provide the requested information will delay or prevent a determination of eligibility.

(3) An applicant must have documentation of a medical diagnosis of HIV disease. A laboratory test documenting confirmed HIV infection is required from one of the following is required:

(4) A confirmed positive HIV antibody test result (e.g. Elisa (EIA) & Western Blot) by blood or Orasure.

(a) A positive HIV direct viral test such as PCR or P24 antigen.

(b) A positive viral culture results.

(c) A detectable HIV-viral load & viral resistance test.

(d) An applicant must be living in the state of Florida at the time of the eligibility determination with the intent to remain in the state.

(5) An applicant must not be receiving services or eligible to participate in local, state or federal programs where the same type service is provided or available. The requirement does not

preclude an applicant from receiving allowable services not provided or available by other local, state or federal programs or pending enrollment.

(6) An applicant must have low-income with a gross income less than or equal to 300% of Federal Poverty Level (FPL) as published and updated annually by the Federal Office of Management and Budget (OMB).

(7) An applicant cannot have cash assets greater than or equal to \$12,000.

(8) An applicant must be willing to cooperate with eligibility staff during the eligibility process and as required in Part 6 of the Application.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History—New _____.

64D-4.004 Determination of Eligibility or Ineligibility.

(1) Eligibility staff is required to make a determination of eligibility and provide written confirmation of an applicant’s status within 30 days from the receipt of the Application and the requested information, unless approved by the supervisor.

(2) If an applicant is determined eligible, he/she is provided a written confirmation of the eligibility determination with a referral to the appropriate programs for allowable services.

(3) If an applicant is determined ineligible, the applicant is provided a written explanation as to why he/she is ineligible and is provided information on the right to appeal in accordance with Chapter 120, F.S. A supervisory review of the applicant’s case is required prior to a determination of ineligibility.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History—New _____.

64D-4.005 Determination of Continued Eligibility.

(1) Eligibility of an existing client is re-determined every six months on DOH Form 2468, which is incorporated by reference in accordance with the procedures established in the Procedure’s Manual. Re-determination will occur at shorter intervals if the client’s income and other eligibility factors change before the 6-month period. The written confirmation requirements established in subsections 64D-4.004(1)-(3), F.A.C., of this rule will apply.

(2) The client must report any change in his/her situation which will impact his/her eligibility status to the Department no later than 10 days after it is known

(3) A client can be determined ineligible to receive services for the following reasons:

(a) A client is no longer living in the state of Florida with the intent to remain in the state.

(b) A client is eligible to receive services or participating in local, state or federal programs where the same type service is provided or available.

(c) A client is no longer considered low-income.

- (d) A client's assets exceed \$12,000.
- (e) A client has not been truthful on the Re-certification Application.
- (f) A client has been threatening, hostile and uncooperative towards Department staff.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History--New

64D-4.006 Rights and Responsibilities.

- (1) Any person has the right to apply for a determination of eligibility to receive allowable services from the HIV/AIDS Patient Care Programs in accordance with this rule chapter.
- (2) The applicant or client is responsible for adhering to the statements contained in the Rights and Responsibilities section of the Application.
- (3) The applicant or client is responsible for demonstrating behavior that is cooperative, civil and respectful of others during and after the eligibility process.
- (4) The applicant has the right to appeal the determination of ineligibility if he/she believes the decision was made incorrectly and unfairly in accordance with procedures established in Chapter 120, F.S.

Specific Authority 381.003(1)(c) FS. Law Implemented 381.011(1), 381.003(1)(c) FS. History--New

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Minimum Security Procedures for Voting Systems RULE NO.: 1S-2.015
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise and update its content to comply with current Florida Statutes.
 SUMMARY: The rule is being amended to update it so that it complies and reflects current requirements under 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: 101.015 FS.
 LAW IMPLEMENTED: 101.015(4) FS.
 HEARINGS WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 11:00 a.m., Monday, July 13, 2004
 PLACE: 500 South Bronough Street, R.A. Gray Building Auditorium, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sarah Jane Bradshaw, Division of Elections, 500 South Bronough Street, R.A. Gray Building, Suite 316, Tallahassee, Florida 32399, (850)245-6220
 Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Marielba Torres, (850)245-6200, at least three days in advance of the meeting.

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.015 Minimum Security Procedures for Voting Systems.

- (1) ~~PURPOSE~~ Purpose.
 - ~~(a) To achieve and maintain the maximum degree of correctness, impartiality, and efficiency of the procedures of voting, including write-in voting, and of counting, tabulating and recording votes by voting systems used in the State of Florida, pursuant to Section 101.015(3), F.S.~~
 - ~~(b) To establish minimum security standards for voting systems and requirements for filing and review of written security procedures, pursuant to Section 101.015(4), F.S.~~
- (2) ~~DEFINITIONS~~ Definitions. The following words and phrases shall be construed as follows when used in this rule:
 - (a) A "Ballot" ~~when used in reference to means one or more of the following:~~

1. ~~"Paper ballot" means that printed sheet of paper, used in conjunction with an electronic or electromechanical vote tabulation voting system, containing the names of candidates, or a statement of proposed constitutional amendments or other questions or propositions submitted to the electorate at any election, on which sheet of paper an elector casts his or her vote. A device created for the purpose of advising an elector of the valid choices for voting. Ballots may be reproduced on paper, video screens, liquid crystal displays, or on other visual, audible, printed, or electronic media.~~

2. ~~"Electronic or electromechanical device" means a ballot that is voted by the process of electronically designating, including by touchscreen, or marking with a marking device for tabulation by automatic tabulating equipment or data processing equipment. Any medium used to record each vote cast which may include marksense forms, printed paper sheets, unprinted strips for write-in votes, electronic, optical, electromechanical, or magnetic storage devices.~~

3. ~~Any device which combines the features of paragraphs 1. and 2. above.~~

(b) A "Voted ballot" means a ballot as defined in ~~(2)(a)2. or (2)(a)3. above,~~ which has been cast by an elector.

(c) "Voting system" means a method of casting and processing votes that functions wholly or partly by use of ~~mechanical,~~ electromechanical; or electronic apparatus or by use of paper ballots and includes, but is not limited to, the

procedures for casting and processing votes and the programs, operating manuals, tabulating cards, printouts, and other software necessary for the system's operation.

(d) "Voting ~~Device machine~~" means any apparatus by which votes are registered electronically ~~mechanical voting machine or any electronic or electromechanical direct recording equipment (DRE) voting machine.~~

(3) SECURITY PROCEDURES. Requirements for filing security procedures with the Division of Elections. ~~Each No later than January 1, 1994, each~~ supervisor of elections shall place on file with the Division of Elections security procedures which meet the minimum standards set forth in this rule. Revisions After January 1, 1994, revisions to procedures on file with the Division of Elections shall be submitted at least 45 days before the first election in which they are to take effect and shall be accompanied by a statement describing which part of the procedures previously filed have been revised. Each supervisor of elections has the authority to make changes to the security procedures within 45 days of an election as a result of an emergency situation or other unforeseen circumstance. The supervisor shall document any changes to include the reasons why such changes were necessary. A copy of any changed document authorized by the supervisor shall be submitted to the Division of Elections within 5 days of the change.

(4) REVIEW OF SECURITY PROCEDURES ~~Review of Security Procedures.~~

(a) The Division of Elections shall conduct a review of the submitted security procedures to determine if they meet the minimum requirements set forth in this rule. The Division of Elections will notify the supervisor of elections as to the results of the review within ~~90 days of the date security procedures are received and within~~ 30 days of the date revisions to the security procedures are received in the office of the Division of Elections. If the Division is unable to complete its review within the time frames established in this rule, the procedures or revisions shall be temporarily approved until such time as the review is completed and the supervisor of elections will be notified accordingly. The notification of the results of the review will include an enumeration of specific provisions which were found to be incomplete or otherwise do not meet the provisions of this rule.

(b) Security procedures on file with the Division of Elections shall be reviewed by the Division of Elections in each odd numbered year, pursuant to Section 101.015(4)(b), F.S.

(5) STANDARDS FOR SECURITY PROCEDURES ~~Standards for Security Procedures.~~

(a) Security Procedures shall include copies of each referenced form, schedule, log or checklist or descriptions of the contents of forms, schedules, logs or checklists that vary from election to election.

(b) Election Schedule. The security procedures shall require the establishment of an election schedule at least 90 days prior to each regularly scheduled election and within 20 days of the date a special election is scheduled. The election schedule shall contain the following:

1. A list of all tasks necessary to conduct the election,
2. The legal deadline, where applicable, or tentative date each task is to be completed; and
3. The individual (position, title), group or organization responsible for completing each task.

(c) Ballot Preparation. The security procedures shall describe the steps necessary to insure that the ballot contains the proper races, candidates and issues for each ballot variation and that the ballots can be successfully tabulated. The ballot preparation procedures shall, at a minimum, contain the following:

1. Method and materials required to determine each type of ballot or ballot variations;
2. Assignment of unique marks, ~~punches~~ or other coding necessary for identifying ballot variations or precincts;
3. Verification that unique marks, ~~punches~~, or other coding necessary for tabulation are correct; ~~and~~
4. Description of system used to facilitate ballot preparation, if applicable; and
5. Description of method to verify that all ballots and ballot variations are accurately prepared and printed.

(d) Preparation and Configuration of Tabulation System.

1. The procedures relating to the preparation and configuration of the tabulation system shall, at a minimum, include the following:

- a. Description of the ballot definition and verification process;
- b. Description of the steps necessary to program the system; and
- c. Description of the process to install the program and the procedures for verification of correctness.

2. The security procedures shall describe the test materials utilized and the voting system tests performed prior to the conduct of the public logic and accuracy test.

(e) Logic and Accuracy Test. The security procedures for use with electronic and electromechanical voting systems shall, at a minimum, describe the following aspects of logic and accuracy testing as required by Section 101.5612, F.S.:

1. Description of each test performed including test materials utilized.
2. Description of how the programs, ballots, and other test materials are sealed, secured and retained.

(f) Filing election parameters. The security procedures shall include filing with Counties shall establish procedures to provide the Division of Elections a copy of the software and with parameters used within the voting system to define, ~~for each election,~~ the tabulation and reporting instructions for each

~~election. The filing shall, at a minimum, include the following: within 24 hours after the completion of any logic and accuracy test conducted pursuant to s. 101.5612(1), F.S., or pre-election test conducted pursuant to s. 101.35, F.S. Counties using paper ballots shall file election parameters prior to the election.~~

~~1. Copy of the voting system software: For electronic and electromechanical systems, the election parameters shall be submitted in a format readable by the tabulation system and shall be accompanied by a copy of the tabulation program. If the voting system cannot produce a machine readable copy, election parameters may be submitted as printed listings or copies of the original coding sheets.~~

~~2. Copy of the administrative database used to define the election: For voting machines the election parameters shall be a copy of the instructions used to prepare the voting machines for each election.~~

~~3. Copy of all election-specific files generated and used by the system: For the tabulation of paper ballots by hand count, the election parameters shall be a written description of the tabulation plan for the election.~~

~~4. Documentation stating the release level of the precinct tabulation equipment and firmware; and~~

~~5. If the election definition is created by an individual who is not an employee of the supervisor of elections, then the parameters shall include an affidavit signed by the person who created the election definition. The affidavit shall be in substantially the following form:~~

ELECTION PARAMETER AFFIDAVIT

~~Under the penalties of false swearing, I do solemnly swear (or affirm) that the (name of election) election coding for _____ County was assembled according to specified procedures using (name of system and Florida certification number). Furthermore, included with the election materials is a duplicate copy of the administrative database used to define the election, a copy of the voting system software, a copy of all election-specific files generated and used by the system and a document stating the release level of the precinct tabulation equipment and firmware. Signature of the Person Coding the Election.~~

~~Sworn to and subscribed before me this _____ day of _____.~~

Notary Signature

~~(g) Pre-election Steps for Voting Systems Machines. The security procedures for use with mechanical or electromechanical voting devices machines shall, at a minimum, include the following:~~

~~1. Description of how the number of voting devices machines for each precinct is determined; and~~

~~2. Description of each component of the public test, including any test materials utilized;~~

3. Description of the process to seal and secure the voting devices machines. It shall also provide for a record to be kept on which the identification numbers, seal numbers and protective counter numbers for voting devices machines shall be noted; and

4. Description of the procedures for retaining the test results and any records of the proceedings.

(h) Ballot Distribution. Where paper ballots (as defined in subparagraph (2)(a)1, subparagraphs (2)(a)2, and 3, of this rule) are used, the security procedures shall, at a minimum, include the following:

1. Description of how the number and variations of ballots required by each precinct is determined;

2. Description of the method for securing the ballots; and

3. Description of the process for distributing the ballots to precincts, to include an accounting of who distributed and who received the ballots, the date, and how they were checked.

(i) Distribution of Precinct Equipment. The security procedures shall describe the steps necessary for distributing voting system equipment to the precincts. ~~Distribution of Voting Machines. Where voting machines are used, the security procedures shall describe the steps necessary for compliance with the requirements of Chapter 101, F.S., pertaining to voting machine distribution.~~

(j) Election Board Duties.

1. The security procedures ~~when paper for use where ballots, including provisional ballots (as defined in paragraph (2)(a)2, of this rule)~~ are used shall, at a minimum, include the following Election Board duties:

a. Verification that the correct number of ballots were received, and that they are the proper ballots for that precinct;

b. Checking the operability or readiness of the voting devices equipment;

c. Checking and sealing the ballot box;

d. Description of how spoiled ballots are handled;

e. Description of how write-in and provisional ballots are handled; and

f. Accounting for all ballots after the polls close.

2. The security procedures for use with voting devices machines shall, at a minimum, include the following Election Board duties:

a. Verification of the identification numbers, seal numbers, and protective counter numbers of precinct tabulation and/or voting devices DRE voting machines;

b. Checking the operability or readiness of the voting device equipment;

c. Verification that all counters except protective counters are set at zero on each voting device machine;

d. Securing a printed record from each voting devices machine, if applicable;

e. Checking the correctness of the ballot;

f. Preparing voting devices machines for voting;

g. Verification that the correct number of signature identification slips were received;

h. Checking and sealing the signature identification slip container(s);

~~i.g. Handling write-in ballots;~~

~~j.h. Handling voting system machine malfunctions;~~

~~k.i. Securing Locking voting machines at the close of the polls to prevent further voting;~~

~~l.j. Accounting for all signature identification slips received; and~~

~~m.k. Recording and verifying the votes cast.~~

(k) Transport of Ballots and/or Election Materials. The security procedures shall describe the steps necessary to ensure a complete record of the chain of custody of for compliance with the requirements of Chapter 101, F.S., which pertain to the transportation of ballots and/or election materials and shall include:

1. A description of the method and equipment used to transport all ballots and/or election materials;

~~2. A method of recording the Election Board's certification required by Section 101.5614(2)(a), F.S.;~~

~~3. A method of recording the names of the individuals who transport the ballots and/or election materials from one site to another and the time they left the sending site; and~~

~~4. A method of recording the time the individuals who transport the ballots and/or election materials arrived at the receiving site and the name of the individual at the receiving site who accepted the ballots and/or election materials.~~

(l) Receiving and Preparing the Ballots for Central and Regional Counting. ~~Where ballots (as defined in paragraph (2)(a)2. of this rule) are used,~~ The security procedures shall describe the process of receiving and preparing voted ballots, election data and/or memory devices for counting to include, at a minimum, the following:

1. Verification that all of the ballot containers are properly secured and accounted for and that the seal numbers are correct;

2. Verification that the ballot container(s) for each precinct contain voted ballots including provisional ballots, unused ballots, spoiled ballots, and write-in ballots as shown to exist on the forms completed by each election board for that purpose;

3. Inspection of the paper ballots to identify those which must be duplicated or upon which voter intent is unclear, thus requiring a determination by the Canvassing Board. A ~~voter~~ record shall be kept of which paper ballots are submitted to the Canvassing Board and the disposition of those paper ballots; and

4. Description of the process for duplicating and recording the voted paper ballots which are damaged or defective.

(m) Tabulation of Vote.

1. The security procedures for use with central and regional processing counting sites shall describe each step of a ballot tabulation to include, at a minimum, the following:

a. Counting and reconciliation of voted paper precinct ballots;

b. Processing, tabulation and accumulation reconciliation of voted ballots and election data;

c. Processing and recording of all write-in and provisional ballots votes;

~~d. Responses to machine checks for electronic or electromechanical voting systems;~~

~~e. The process for handling unreadable ballots and returning any duplicates to tabulation;~~

~~f. Backup and recovery of tabulated results and voting system programs for electronic or electromechanical voting systems; and~~

~~g. Describe the procedure process for public viewing of the tabulation process and access to results.~~

2. Security procedures shall describe the steps necessary for vote tabulation in the precincts. Where voting machines are used, the security procedures shall describe the steps necessary for compliance with the requirements of Chapter 101, F.S., which pertain to vote tabulation.

3. The security procedures for use in the precincts all other ~~cases~~ shall include procedures which describe each step of ballot tabulation to include, at a minimum, the following:

a. Printing of precinct results and results from individual tabulating devices

b. Processing and recording of write-in votes;

c. Endorsing a copy of the precinct results by the Election Board;

d. Posting of precinct results;

e. Transport of precinct results to central or regional site;

f. Consolidation of precinct and provisional absentee ballot results; and

g. Describe the process for public viewing of the tabulation process and access to results.

4. The procedures for resolving discrepancies between the counted ballots and voted ballots and any other discrepancies found during the tabulation process shall be described.

(n) Electronic Access to Voting Systems. Security procedures ~~for electronic or electromechanical voting systems~~ shall identify all methods of electronic access to the vote tabulation system, including procedures for authorizing electronic access and specific functions, and specifying methods for detecting, controlling and reporting access to the vote tabulation system.

(o) Absentee Ballot Handling. The security procedures shall include procedures which describe absentee ballot handling to include, at a minimum, the following:

1. Description of process for determining and verifying absentee ballot variations;

- 2. Description of process to ~~assure insure~~ voters are issued the proper absentee ballot;
- 3. Process for precluding voters from voting at the polls and casting an absentee ballot;
- 4. Process for opening valid absentee ballots in preparation for tabulation;
- 5. Process for recording the receipt of advance absentee ballots, regular absentee ballots, State write-in ballots and Federal write-in ballots and determining which ones should be counted if more than one per voter is received; and
- 6. Security measures for storing absentee ballots and related materials prior to and after an election.

(p) Ballot Security. The security procedures shall describe ballot accountability and security beginning with their receipt from a printer or manufacturer until such time as they are destroyed. The procedures for each location shall describe physical security, identify who has is authorized access; and identify who has the authority to permit access.

(q) Voting System Maintenance and Storage. The security procedures shall describe the maintenance and testing performed on all components of the system electronic, electromechanical and mechanical devices to ~~assure insure~~ that it is they are in proper working order and is are within manufacturer's operating specifications. Procedures shall also describe storage and non-operational maintenance of all voting devices equipment.

(6) ACCESS TO TABULATION PROGRAM SOURCE CODE ~~Access to Tabulation Program Source Code.~~

(a) No supervisor shall have access to any vote tabulation program source code to be used in an election unless prior approval has been obtained from the Division of Elections. Approval shall be based on the supervisor establishing security procedures which provide for maintaining a secured control copy of the certified release of the tabulation program source code; protecting source code from unauthorized access; and verification that the tabulation program source code used for each election is identical to the certified release.

(b) Any modification to tabulation program source code must be certified by the Division under the provisions of Rule ~~Chapter Chapters~~ 1S-5 and ~~1S-7~~ F.A.C., before use in any election.

Specific Authority 120.535, 101.015 FS. Law Implemented 101.015(4) FS. History—New 5-27-85, Formerly 1C-7.15, 1C-7.015, Amended 8-28-93,

NAME OF PERSON ORIGINATING PROPOSED RULE: Marielba Torres, Assistant General Counsel, Division of Elections
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edward C. Kast, Director, Division of Elections, Department of State
 DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: June 7, 2004

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

DEPARTMENT OF STATE

Division of Elections

RULE TITLE: Electronic Transmission of Absentee Ballots
 RULE NO.: 1S-2.030

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise and update its content as required by the Florida Help America Vote Act Implementation bill, and by the Federal Help America Vote Act.

SUMMARY: The rule is being amended to comply with the absentee ballot provisions recently amended by Chapter 2004-232, Laws of Florida.

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: 101.697 FS.

LAW IMPLEMENTED: 101.697 FS., Chapter 2004-232, Laws of Florida

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

TIME AND DATE: 10:00 a.m., Monday, July 12, 2004

PLACE: 500 South Bronough Street, R. A. Gray Building Auditorium, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Sarah Jane Bradshaw, Division of Elections, 500 South Bronough Street, R.A. Gray Building, Suite 316, Tallahassee, Florida 32399, (850)245-6220.

Pursuant to the Americans with Disabilities Act, persons needing special accommodations to participate in this meeting should contact Marielba Torres, (850)245-6200, at least three days in advance of the meeting.

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.030 Electronic Transmission of Absentee Ballots.

(1) The supervisor of elections may accept a request for an absentee ballot via facsimile or electronic mail from an overseas voter as defined in Section 97.021, F.S., and may accept a voted ballot pursuant to the provisions of this rule.

(2) The electronic or facsimile request for an absentee ballot must include:

- (a) The name of the voter requesting the ballot.
- (b) The voter's county of legal residence in Florida.
- (c) The voter's date of birth.
- (d) One of the following:

1. If the voter wishes the ballot to be mailed, an APO/FPO or other deliverable overseas address.

2. If the voter wishes the ballot be faxed, a facsimile machine number where return information will be received.

3. If the voter wishes the ballot to be transmitted via electronic mail, the electronic mail address.

(e) The voter's signature (facsimile requests only).

(3) Upon receipt of a request for a ballot under these provisions, the supervisor must verify the information provided by the overseas voter and may only provide an absentee ballot if the supervisor determines that the overseas voter is a qualified and registered voter for the election. A request for a ballot to be faxed to the voter is valid for only the upcoming election or the one election specified by the voter.

(4) Upon verification of the overseas voter's eligibility, the supervisor shall provide the appropriate absentee ballot, the instructions for voting and returning the ballot, and the Voter's Certificate to the overseas voter by the means requested by the voter in (2).

(5) The supervisor of elections shall record the date the request was made, the way the ballot was sent to the voter, and the date the absentee ballot was mailed or transmitted to the voter.

(6) The supervisor of elections shall ensure that his or her transmitting and receiving equipment is in a secure location with access limited to employees of the supervisor and that the ballot is sent directly to the address or number provided by the overseas voter. It is the voter's responsibility to ensure the security of the receiving facsimile machine or computer.

(7) An overseas voter may return a voted ballot either by mail or by facsimile. Voted ballots returned by electronic mail will not be accepted.

(8) Overseas voters returning a voted absentee ballot by facsimile must send the ballot and the Voter's Certificate directly to the fax number provided by the supervisor of elections or to a number provided by Federal Voting Assistance Program of the Department of Defense. In order for the ballot to be counted it must be received by the supervisor of elections no later than 7 p.m. election day.

(9) Overseas voters mailing back voted ballots received by electronic mail or fax must seal the ballot in an unmarked envelope, which is the security envelope. The Voter's Certificate and the security envelope should be placed in a separate ballot transmittal envelope for mailing. The ballot transmittal envelope should be marked "Absentee Ballot Enclosed."

(10) The Voter's Certificate for ballots being sent to all overseas voters by mail, electronic means, or by fax shall be substantially as follows: the same as the Voter's Certificate in Section 101.64, F.S.

Note: Please Read Instructions Carefully Before Marking Ballot and Completing Voter's Certificate.

VOTER'S CERTIFICATE

I, _____, do solemnly swear or affirm that I am a qualified and registered voter of _____ County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot.

I further swear or affirm, under penalty of perjury, that I am:

1. A member of the Uniformed Services or merchant marine on active duty; or an eligible spouse or dependent of such a member; or a U.S. citizen temporarily residing outside the U.S.; or Other U.S. citizen residing outside the U.S.; and

2. I am a U.S. citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; and

3. I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and

4. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S., except the jurisdiction cited in this voting form.

In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under State or Federal law. I have not been influenced.

My signature and date below indicate when I completed this document. The information on this form is true, accurate and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury.

Voter's Signature

Date

(11) The instructions to be sent to all overseas voters shall be in substantially the following form:

(a) In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which you are registered no later than 7 p.m. on the day of the election.

(b) Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

(c) Mark only the number of candidate or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

(d) In order for your ballot to be counted, you must complete the Voter's Certificate, which must include your signature and the signature and address of a witness 18 years of age or older. You must also include the date you signed the Voter's Certificate or your ballot may not be counted.

(e) You may return your voted ballot either by facsimile or by mail. Voted ballots returned by electronic mail will not be counted.

(f) You may fax your ballot and the Voter's Certificate to the supervisor of elections at (fax phone number) or you may fax your ballot to a fax number provided by the Federal Voting Assistance Program of the Department of Defense. If you fax your ballot to a number provided by the Federal Voting Assistance Program, make sure there is sufficient time for the Federal Voting Assistance Program to transmit it to the supervisor of elections so that it is received by 7 p.m. election day. If you fax your voted ballot, you will be voluntarily waiving your right to a secret ballot.

(g) To mail your ballot to the supervisor of elections:

1. Place your marked ballot in a secrecy envelope. If the ballot was mailed to you by the supervisor of elections, use the secrecy envelope sent to you. If your ballot was faxed to you or sent by electronic mail, place your marked ballot in an unmarked envelope and seal the envelope.

2. Insert the secrecy envelope inside a separate mailing envelope. If the ballot was mailed to you, use the mailing envelope provided and fill out the Voter's Certificate on the back. If the ballot was faxed to you or sent by electronic mail, place the sealed secrecy envelope and the completed Voter's Certificate in another envelope for mailing. Do not seal the Voter's Certificate in the secrecy envelope with the ballot. Clearly mark the mailing envelope "Absentee Ballot Enclosed".

3. Mail the ballot to the supervisor of elections. Be sure there is sufficient postage.

(h) FELONY NOTICE. It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

(12) If any absentee voter mails the voted ballot to the supervisor of elections in an envelope other than an absentee ballot envelope provided by the supervisor, the canvassing board is authorized to open the mailing envelope to determine if the Voter's Certificate is enclosed in the mailing envelope. If the Voter's Certificate is not enclosed, the secrecy envelope containing the ballot shall not be opened and the envelope shall be marked "Rejected as Illegal." If the Voter's Certificate is enclosed, the supervisor of elections shall verify the overseas voter's eligibility, and once verified, the ballot shall be processed as other absentee ballots.

(13) For each voted absentee ballot received from an overseas voter, the supervisor shall record the date such ballot was received.

(14) Upon receipt of a voted ballot transmitted by fax, the supervisor of elections shall enclose the ballot in an envelope and seal it. The Voter's Certificate shall be attached to the envelope. Upon a determination by the canvassing board that the voter was eligible to vote, the ballot shall be removed from the envelope and duplicated so that it can be processed through the tabulating equipment.

(15) Upon regular mail receipt of a ballot that was sent via electronic mail, the Voter's Certificate shall be reviewed. Upon determination by the canvassing board that the voter was eligible to vote, the ballot shall be removed from the envelope and duplicated so that it can be processed through the tabulating equipment.

(16) The supervisor of elections and the supervisor's staff shall take the steps necessary to keep the voted ballots received by facsimile as confidential as possible.

Specific Authority 101.697 FS. Law Implemented 101.697 FS. History--New 5-27-02, Amended 11-26-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sarah Jane Bradshaw, Assistant Director, Division of Elections
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Edward C. Kast, Director, Division of Elections, Department of State
DATE OF PROPOSED RULE APPROVED BY AGENCY HEAD: June 7, 2004
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 2004

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Licensed Pesticide Applicators and Dealers	5E-9
RULE TITLES:	RULE NOS.:
Pesticide Applicator Licenses	5E-9.019
Categories of Licensure for Pesticide Applicators	5E-9.021
Procedures for Pesticide Applicator Certification, Licensure, and License Renewal	5E-9.026
Procedures for Pesticide Dealer Licensure and License Renewal	5E-9.027
Procedures for Pesticide Applicator Recertification	5E-9.029

Pesticide Applicator Records 5E-9.032
 Pesticide Aircraft Registration, Liability Insurance/Surety Bond, Security, Inspection, Storage, Recordkeeping, Area-of-Application Information, Transactions, and Forms 5E-9.036

PURPOSE, EFFECT AND SUMMARY: The purpose of the rule amendment is to restrict the aerial category to commercial and public pesticide applicators; require aerial applicators who make pest management decisions to be licensed in all work-related categories; require pesticide certification exams to be given in English; delete the requirement for aerial applicators to file proof of insurance since it is now provided with each aircraft registered; clarify the affidavit and late fee requirements for pesticide applicator license renewal; reduce the number of continuing education units (CEUs) required for renewal of private applicator licenses from 8 to 4; harmonize terminology in reference to providers of CEU programs with terminology used by the Bureau of Entomology and Pest Control; modify the restricted use pesticide recordkeeping requirements to require a start and end time for each application; provide for the use of GPS coordinates or longitude/latitude points in pesticide applicator records to delineate treatment sites; specify the pesticide application records that must be maintained to meet the requirements of Section 487.081(6)(b), F.S., to qualify for exemption from proceedings by the Department of Environmental Protection; specify the length of time certificates of insurance must be maintained by aircraft registrants; update forms and addresses; add web site references; clarify confusing language; and correct inconsistencies within the rule chapter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SOERC has been prepared.

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

SPECIFIC AUTHORITY: 487.0435, 487.046, 487.048, 487.049, 487.160, 570.07(23) FS.

LAW IMPLEMENTED: 487.0435, 487.044, 487.046, 487.048, 487.049, 487.160 FS.

IF REQUESTED IN WRITING, A RULE HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., July 12, 2004

PLACE: AES Conference Room, Florida Department of Agriculture and Consumer Services Complex, 3125 Conner Blvd., Bldg. 8, Tallahassee, FL 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Dale Dubberly, Chief, Bureau of Compliance Monitoring, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, 3125 Conner Blvd., Bldg. 8. (L29), Tallahassee, Florida 32399-1650; telephone (850)488-8731

THE FULL TEXT OF THE PROPOSED RULES IS:

5E-9.019 Pesticide Applicator Licenses.

(1) License types. Each individual licensed as a pesticide applicator must be licensed in one of three license types and must be licensed in a minimum of one primary category. License types are:

~~(1) License types-~~

(a) through (c) No change.

(2) Restrictions on license types.

(a) Aerial application. No license type is valid for aerial application of pesticides unless the license includes the aerial category. The aerial category is available only to commercial and public applicators.

(b) through (c) No change.

Specific Authority 487.0435, 570.07(23) FS. Law Implemented 487.0435 FS. History—New 6-9-94, Amended 7-2-95, 2-21-02,_____.

5E-9.021 Categories of Licensure for Pesticide Applicators.

(1) Description of primary categories.

(a) through (p) No change.

(q) Category 11 – Aerial Application. This category is applicable to individuals who apply any pesticide from an aircraft. This category is valid for licensure of ~~private~~, public, and commercial applicators for treatment sites that may legally (according to product label direction) be treated by aerial application under Chapter 487, F.S.

(r) through (s) No change.

(2) No change.

(3) Requirements and restrictions on category licensure.

(a) Private applicators who apply restricted use pesticides by ground application must be licensed in Category 1C – Private Applicator Agricultural Pest Control. ~~Private applicators who apply pesticides aerially must be licensed in Category 11 – Aerial Application.~~ No other primary or secondary categories are available for licensure of private applicators.

(b) No change.

(c) Public and commercial applicators must be licensed in all primary and secondary categories applicable to the types of pesticide applications to be made. Exceptions: 1) Category 1C does not apply to public or commercial applicators; 2) Individuals licensed in Category 9 need not be licensed in Category 1D or 1E; 3) Aerial applicators who make no ground applications and no pest management decisions, but only apply pesticides aerially at the request of another party who has made the necessary determinations regarding pest management and pesticide application, do not need to be licensed in any category except Category 11. Aerial applicators who make determinations regarding pest management and pesticide application must be licensed in the aerial category and all other categories applicable to the treatment site(s).

Specific Authority 487.0435, 570.07(23) FS. Law Implemented 487.0435 FS. History—New 6-9-94, Amended 7-2-95, 9-24-98, 6-27-99, 2-21-02,_____.

5E-9.026 Procedures for Pesticide Applicator Certification, Licensure, and License Renewal.

(1) Certification. All individuals seeking pesticide applicator licensure shall demonstrate competency in the responsible use of pesticides by successfully completing the appropriate pesticide applicator examination(s) specified in this chapter for each classification of licensure. All examinations shall be written in the English language and administered by the department or its authorized agents as written, closed-book examinations. Examinations will not be translated into other languages orally, in writing, or in any other form. However, the department shall accommodate individuals seeking licensure in other languages through examination translation or other comparable examination procedures. Licensure based on examination in a language other than English will limit the use of pesticides requiring licensure to those products which bear or provide complete labels and labeling in the language in which examined. Examinations shall be undertaken and completed by the examinee without assistance from other individuals. The department shall set passing scores and determine if the certification standards have been met for the desired licensure. Examination scores shall be valid for 12 months after the date of examination.

(2) Licensure. If the certification standards have been met, the department shall provide the appropriate license application, form DACS-13312, Rev. 05/04, ~~DACS 130312~~ for a private applicator license, form DACS-13313, Rev. 05/04, ~~DACS 130313~~ for a public applicator license, or form DACS-13310, Rev. 05/04, ~~DACS 130310~~ for a commercial applicator license, to the individual. The following materials must be received by the department before a pesticide applicator license shall be issued: documentation of certification earned within the previous 12 months; completed application; completed designation of registered agent, form INHSE-30, Eff. 6/92, if applicable; copy of pilot's license ~~proof of insurance or surety bond~~ (aerial category licensure only); proof of age, if requested; and appropriate fee. License applicants may designate one or more authorized purchasing agents by submitting a completed Authorized Purchasing Agent Designation, DACS-13352, Rev. 05/04, along with the license application. Materials shall be submitted to the Pesticide Certification Office, P. O. Box 6710, Tallahassee, Florida 32314-6710. Pesticide applicator licenses shall expire at the end of the month no more than four (4) years from issue date.

(3) License Renewal. It shall be the responsibility of each licensee to renew the license at the time of expiration. Requests for renewal of pesticide applicator licenses shall be made by submitting to the department the following materials: a signed request for license renewal; documentation of recertification;

completed designation of registered agent, form INHSE-30, Eff. 6/92, if applicable; ~~proof of insurance or surety bond (aerial category licensure only)~~; proof of age, if requested; and payment of the appropriate license fee. Materials shall be submitted to the Pesticide Certification Office at the above address and must be received no later than the license expiration date for the license to be renewed with continual licensure. If a license is renewed after it expires, the applicator must submit a notarized affidavit stating that no restricted use pesticides have been used since the license expired. If a license is renewed more than 60 days after it expires, a \$50 late fee is also required. A license that has been expired for more than one year may not be renewed. Renewed pesticide applicator licenses shall expire no more than four (4) years from the previous expiration date.

(4) Forms. The following forms are hereby incorporated by reference. Forms DACS-13312, Rev. 05/04 ~~DACS 130312~~, DACS-13310, Rev. 05/04 ~~DACS 130310~~, and DACS-13313, Rev. 05/04 ~~DACS 130313~~, and DACS-13352, Rev. 05/04 may be downloaded from the web site <http://www.safepesticideuse.com> or obtained from the Florida Department of Agriculture and Consumer Services, Pesticide Certification Office, 3125 Conner Boulevard, Building 8 (L29) ~~MD 1 (L33)~~, Tallahassee, Florida 32399-1650, telephone (850)~~488-3314~~ 488-6838. Form INHSE-30, Eff. 6/92, may be obtained from the Florida Department of State, Division of Corporations, 409 E. Gaines Street, Tallahassee, Florida 32399, telephone (850)487-6051.

(a) Application for Private Applicator License (DACS-13312, Rev. 05/04 ~~DACS 130312~~, Rev. 2/98), Florida Department of Agriculture and Consumer Services.

(b) Application for Public Applicator License (DACS-13313, Rev. 05/04 ~~DACS 130313~~, Rev. 2/98), Florida Department of Agriculture and Consumer Services.

(c) Application for Commercial Applicator License (DACS-13310, Rev. 05/04 ~~DACS 130310~~, Rev. 2/98), Florida Department of Agriculture and Consumer Services.

(d) Authorized Purchasing Agent Designation (DACS-13352), Rev. 05/04, Florida Department of Agriculture and Consumer Services.

~~(e)~~ Designation of Registered Agent and Registered Office for a Nonresident Restricted-Use Pesticides Licensee (INHSE-30, Eff. 6/92), Florida Department of State.

Specific Authority 487.0435, 487.046, 570.07(23) FS. Law Implemented 487.044, 487.046, 487.049 FS. History—New 6-9-94, Amended 7-2-95, 9-24-98,_____.

5E-9.027 Procedures for Pesticide Dealer Licensure and License Renewal.

(1) Licensure. Requests for pesticide dealer licensure shall be made by submitting a completed pesticide dealer license application, for DACS-13337, Rev. 05/04 ~~4/02~~, and the appropriate license fee to the Pesticide Certification Office,

P. O. Box 6710, Tallahassee, Florida 32314-6710. Pesticide dealer licenses shall expire at the end of the month one (1) year from issue date.

(2) No change.

(3) Forms. The following form is hereby incorporated by reference: Application for Pesticide Dealer License (DACS-13337, Rev. 05/04 ~~4/02~~). This form may be downloaded from the web site <http://www.safepesticideuse.com> or obtained from the Florida Department of Agriculture and Consumer Services, Pesticide Certification Section, 3125 Conner Boulevard, Building 8 (L29), Tallahassee, Florida 32399-1650, telephone (850)488-3314.

Specific Authority 487.048(1), 570.07(23) FS. Law Implemented 487.048(1) FS. History—New 6-9-94, Amended 7-2-95, 9-24-98, 2-21-02, _____.

5E-9.029 Procedures for Pesticide Applicator Recertification.

(1) through (2) No change.

(3) Effective January 1, 2005, all applicators recertifying by means of CEUs must earn 4 CEUs approved for the general standards of pesticide use and safety (core material) plus the following number of CEUs approved for each specific license category to be renewed:

PRIMARY CATEGORIES	CEU'S REQUIRED
Category 1A1 – Agricultural Row Crop Pest Control	8
Category 1A2 – Agricultural Tree Crop Pest Control	8
Category 1B – Agricultural Animal Pest Control	4
Category 1C – Private Applicator Agricultural Pest Control	4 8
Category 1D – Soil and Greenhouse Fumigation	4
Category 1E – Raw Agricultural Commodity Fumigation	4
Category 2 – Forest Pest Control	8
Category 3 – Ornamental and Turf Pest Control	12
Category 4 – Seed Treatment	4
Category 5A – Aquatic Pest Control	16
Category 5B – Organotin Antifouling Paint Pest Control	4
Category 6 – Right-of-Way Pest Control	8
Category 7A – Wood Treatment	4
Category 7B – Chlorine Gas Infusion	4
Category 7C – Sewer Root Control	4
Category 9 – Regulatory Pest Control	12
Category 11 – Aerial Application	16
Category 20 – Regulatory Inspection and Sampling	4
Category 21 – Natural Areas Weed Management	16

SECONDARY CATEGORIES

CEU'S
REQUIRED

Category 10 – Demonstration and Research

4

~~The Ornamental and Turf Pest Control and Aquatic Pest Control categories may be renewed with 8 CEU's until January 1, 2000.~~

(4) through (7) No change.

(8) CEU program approval. The department shall approve professional meetings or seminars for granting of continuing education units (CEUs) in pesticide use and safety through execution of an agreement between the department and the education provider sponsoring organization and provided the seminar or meeting and sponsor comply with the criteria set forth below. The agreement shall clearly stipulate the education provider's sponsoring organization's responsibilities and the department's authority to withhold credits for any seminar or meeting determined not to be in compliance with the approved criteria or the points specified in the agreement. Criteria for allocation of CEUs and procedures for program approval and granting of CEUs to individual licenses are specified below.

(9) CEU program criteria. The following specifications shall be met before a meeting or seminar shall be considered for approval:

(a) The education provider sponsoring organization shall submit a written or electronic request for approval to grant CEUs on form DACS-13326, Rev. 05/04 ~~4/02~~, or in an electronic format prescribed by the department. The completed form or electronic request must be received by the department no later than two (2) weeks prior to the date of the program, unless a different time frame is approved by the department on a case by case basis, based on circumstances beyond the control of the education provider sponsoring organization.

(b) A program agenda indicating the start time, duration, instructor or speaker, and description of each program segment for which CEU approval is requested shall be submitted with form DACS-13326, Rev. 05/04 ~~4/02~~. The description of each program segment must be sufficient for verification of content and applicability.

(c) No change.

(d) Documentation attesting that the instructors or speakers possess the expertise required to impart the specified information to the attendees shall be submitted with form DACS-13326, Rev. 05/04 ~~4/02~~.

(e) The education provider or an authorized designee ~~sponsoring organization~~ shall distribute an official record of attendance, form DACS-13325, Rev. 05/04 ~~4/02~~, provided by the department, to each licensee in attendance and shall monitor attendance to ensure these records are accurate. The education provider or an authorized ~~A designee of the sponsoring organization~~ shall sign the record of attendance forms to verify each licensee's attendance.

(f) No change.

(10) No change.

(11) Procedure for determining CEUs.

(a) No change.

(b) A written or electronic copy of the program request ~~form~~ shall be returned to the education provider sponsoring organization contact person with notification of CEU credit approval.

(12) Procedure for granting CEUs to licensees.

(a) through (b) No change.

(c) The education provider or an authorized designee contact person or program trainer shall complete and sign the appropriate section of the record of attendance form to verify each licensee's attendance.

(d) through (f) No change.

(g) The licensee is responsible for ensuring that the CEUs required for license renewal are earned according to guidelines specified in this chapter. The licensee is also responsible for maintaining the completed record of attendance forms (form DACS-13325, Rev. 05/04 4/02) and submitting these records to the department at the time of request for license renewal.

(13) Forms. The following forms are hereby incorporated by reference. These forms may be downloaded from the web site <http://www.safepesticideuse.com> or obtained from the Florida Department of Agriculture and Consumer Services, Pesticide Certification Section, 3125 Conner Boulevard, Building 8 (L29), Tallahassee, Florida 32399-1650, telephone (850)488-3314.

(a) Request for Granting Continuing Education Units (CEUs) for Renewal of Pesticide Applicator Licenses and Certificates (DACs-13326, Rev. 05/04 4/02).

(b) Record of Attendance for Continuing Education Units (CEUs) (DACs-13325, Rev. 05/04 4/02).

Specific Authority 487.049, 570.07(23) FS. Law Implemented 487.049 FS. History--New 6-9-94, Amended 7-2-95, 9-24-98, 6-28-99, 2-21-02,_____.

5E-9.032 Pesticide Applicator Records.

(1) Licensed pesticide applicators shall maintain records relating to the application of all restricted use pesticides. Such records shall consist of the following information for each application:

(a) through (b) No change.

(c) Date, start time, and end time of treatment;

(d) Location of treatment site, which may be recorded using any of the following designations:

1. County, range, township, and section;

2. An identification system utilizing maps and/or written descriptions which accurately identify the location and distinguish the treatment site from other sites;

3. The identification system established by the United States Department of Agriculture found at 7 CFR 110, which utilizes maps and numbering system to identify field locations;

4. The legal property description; or

5. Global Positioning System (GPS) coordinates or longitude/latitude points that delineate the treated area.

(e) through (j) No change.

(2) through (10) No change.

(11) To meet the requirements of Section 487.081(6)(b), F.S., individuals must keep the same record information required in paragraph (1). Such records must be maintained in a manner accessible by department representatives and shall be maintained indefinitely by the property owner or leaseholder.

Specific Authority 487.160, 570.07(23) FS. Law Implemented 487.160 FS. History--New 6-9-94, Amended 7-2-95, 9-24-98,_____.

5E-9.036 Pesticide Aircraft Registration, Liability Insurance/Surety Bond, Security, Inspection, Storage, Recordkeeping, Area-of-Application Information, Transactions, and Forms.

(1) Registration. Each aircraft used for aerial application of any pesticide must be annually registered with the department with proof of insurance or surety bond. Application for registration shall be on form DACS-13354, Rev. 05/04 New 4/02, provided by the department. The completed registration form and proof of insurance or surety bond shall be submitted to the Pesticide Certification Office, 3125 Conner Boulevard, Blvd., Building Bldg. 8 (L29), Tallahassee, Florida 32399-1650. The registration form period shall be submitted to the dDepartment on or before June 30 of each year and shall not exceed the time period covered by proof of insurance or surety bond.

(2) Proof of Insurance or Surety Bond. Proof of insurance or surety bond shall consist of:

(a) The deposit with the department of a surety bond in favor of any person or persons who may suffer damage or injury as the result of the aerial application of any pesticide made from the registered aircraft. Said surety bond shall be a minimum of \$100,000 and shall be executed by a corporate surety company authorized to conduct business in Florida. The department shall evaluate and determine the adequacy of all such bonds before acceptance. When the aircraft is removed from aerial application operation, a said bond shall be returned after a period of six months following date of notice of withdrawal, provided such withdrawal shall not release said surety from liability existing hereunder during the time of aerial application at the time of the effective date of such withdrawal; or

(b) The filing of a certificate of insurance, verifying insurance in an amount of not less than \$100,000 property damage and \$300,000 bodily injury coverage per occurrence, insuring the registered aircraft against liability for any damage, loss, or injury, including chemical drift or trespass, suffered by any person or persons, resulting from the aerial application of any pesticide made from the registered aircraft. A deductible clause of \$1,000 shall be acceptable. A current certificate of insurance must be filed with each initial and subsequent renewal registration. Current certificates of insurance or copies

thereof shall be maintained in the aircraft registrant's possession from the date the aircraft is registered, ~~or until two (2) years after the certificate expires or two (2) years after the registration is withdrawn.~~

(3) No change.

(4) Security. Each aircraft used for aerial application of any pesticide shall be secured when not in use. Secured storage shall include the aircraft being: within a locked building, locked in place securely, mechanically disabled from flying, or any other reasonable method which prevents or deters ~~would prevent or deter~~ theft or unauthorized use.

(5) Storage. All pesticides on the premises owned or controlled by any aerial applicator shall be stored and maintained in a manner such that they are not accessible to unauthorized persons. Secured storage shall include: fences with a minimum 6 feet height; door locks; valve locks; electronic security systems; disabling of mobile storage units; blocking of access, ingress or egress; or any other reasonable method which prevents or deters theft or unauthorized use ~~fences with a minimum 6 feet height, door locks, valve locks, electronic security systems, disabling of mobile storage units, blocking of access, ingress or egress; or any other reasonable method to prevent or deter theft or unauthorized use.~~ Buildings used to store pesticides must be of rigid construction so unauthorized entry can not be achieved without the use of heavy machinery or equipment. If a portable building is used for storage of pesticides, the building must be secured in place so it can not be towed or otherwise removed by unauthorized persons.

(6) Transactions. Any person who buys, sells, rents, leases, or transfers ownership ~~purchase, sale, rental, leasing, or transfer of ownership~~ of an aircraft that is registered or required to be registered with the department pursuant to subsection (1) above shall report the transaction be transmitted to the department within 24 hours of the transaction using one of the following forms: on (1) Report of Aircraft Transaction, Form DACS-13355, Rev. 05/04; (2) Ownership Declaration and Sales and Use Tax Report on Aircraft, Form DR-42A, Rev. 03/02; or (3) Aircraft Bill of Sale, Form AC 8050-2 (09/92). ~~(1) Florida Department of Revenue form DR 42 Rev 06/99 Ownership Declaration and Sales and Use Tax Report on Aircraft or (2) Aircraft Bill of Sale Form AC 8050 2 (09/92) or (3) Report of Aircraft Transaction Form DACS 13355, New 1/02 within 24 hours of the transaction.~~

(7) Recordkeeping. Aerial applicators shall maintain records relating to the application of each pesticide during a declared emergency. Such records generated during the emergency shall be retained for a period of two (2) years and shall be maintained in a manner that is accessible by the department upon request. Records shall consist of the following information for each application:

(a) Name, FDACS pesticide applicator license number, and FAA license number of the licensee responsible for the pesticide application;

(b) Date, start time and end time of treatment;

(c) Location of treatment site, which may be recorded using any of the following designations:

1. County, range, township and section;

2. An identification system utilizing maps and/or written descriptions which accurately identify the location and distinguish the treatment site from other sites;

3. The legal property description; or

4. Global Positioning Satellite (GPS) coordinates or Longitude/Latitude points which delineate the treated area; ~~area.~~

(d) Name of the person requesting or authorizing the application; ~~application.~~

(e) Aircraft manufacturer, make and model; ~~model.~~

(f) FAA aircraft registration number; and

(g) Originating airport/airstrip ~~airports/airstrip.~~

(8) Area-of-Application Information. The information listed in (7)(a) through (7)(g) is required only when a declaration of an Executive Order pursuant to the emergency powers granted to the Governor or the Commissioner of Agriculture is made, declaring an emergency in the State of Florida. Such information shall be provided and filed with the department ~~Department~~ in a manner determined by the department.

(9) Forms. The following forms are hereby incorporated by reference. These forms may be downloaded from the web site <http://www.safepesticideuse.com> or obtained from the Florida Department of Agriculture and Consumer Services, Pesticide Certification Office, 3125 Conner Boulevard, Building 8 (L29), Tallahassee, Florida 32399-1650, telephone (850)488-3314.

(a) Application for Aircraft Registration (DACs-13354), Rev. 05/04 ~~New 01/02,~~ Florida Department of Agriculture and Consumer Services.

(b) Ownership Declaration and Sales and Use Tax Report on Aircraft (DR-42A ~~DR-42~~), Rev. 03/02 ~~06/99,~~ Florida Department of Revenue.

(c) Aircraft Bill of Sale, Sale-AC Form AC 8050-2 (09/92), U.S. Department of Transportation, Federal Aviation Administration.

(d) Report of Aircraft Transaction (DACs-13355), Rev. 05/04 ~~New 1/02,~~ Florida Department of Agriculture and Consumer Services.

(10) Upon written request by an authorized department representative, an aircraft registrant a licensed aerial applicator who has aerial insurance as the selected form of financial responsibility shall make available the certificates of insurance or copies thereof required to be maintained under this rule for period of time when aerial applications are made and shall

permit the authorized representative to copy of photograph the documents. The original documents shall be maintained by the aircraft registrant applicator.

Specific Authority 487.046, 570.07(23) FS., Chapter 2001-360, Laws of Florida. Law Implemented 487.046 FS., Chapter 2001-360, Laws of Florida. History—New 6-9-94, Amended 7-2-95, 9-24-98, 6-9-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Dubberly, Chief, Bureau of Compliance Monitoring
 NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Steven Rutz, Director, Division of Agricultural Environmental Services
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 2004
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2004

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

DOCKET NO. 040269-TP

RULE TITLE: Expedited Dispute Resolution Process for Telecommunications Companies

RULE NO.:

25-22.0365

PURPOSE AND EFFECT: The purpose of the rule is to implement a process designed to minimize the time necessary to reach a decision on a dispute between telecommunications companies pursuant to Section 364.058(3), Florida Statutes.

SUMMARY: The rule provides for an expedited process to facilitate the quick resolution of disputes between telecommunications companies. For any proceeding conducted pursuant to the expedited process, the Commission shall make its determination within 120 days after a petition is filed or a motion is made.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule should make the dispute process more efficient and less time consuming, and thus less costly for utilities. It should also facilitate more competitive choices for customers. The Commission would benefit by the resolution of disputes in a more timely manner, but staff’s workload may be heavier given the requirement to complete the hearing process in 120 days. The total cost savings are unknown.

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

SPECIFIC AUTHORITY: 350.127(2), 364.058(3) FS.

LAW IMPLEMENTED: 364.058 FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULE IS: Marlene Stern, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850)413-6230

THE FULL TEXT OF THE PROPOSED RULE IS:

25-22.0365 Expedited Dispute Resolution Process for Telecommunications Companies.

(1) The purpose of this rule is to establish an expedited process for resolution of disputes between telecommunications companies (“companies”).

(2) To be considered for an expedited proceeding, the companies involved in the dispute must have attempted to resolve their dispute informally.

(3) To initiate the expedited dispute resolution process, the complainant company must file with the Commission a request for expedited proceeding, direct testimony, and exhibits, and must simultaneously serve the filing on the other company involved in the dispute. The request for expedited proceeding is in lieu of the petition required by Rule 28-106.201, Florida Administrative Code.

(4) The request for expedited proceeding must include:

(a) The name, address, telephone number, facsimile number and e-mail address of the complainant company and its representative to be served, if different from the company;

(b) A statement of the specific issue or issues to be litigated and the complainant company’s position on the issue or issues;

(c) The relief requested;

(d) A statement attesting to the fact that the complainant company attempted to resolve the dispute informally; and,

(e) An explanation of why the use of this expedited process is appropriate. The explanation of why use of the expedited process is appropriate shall include a discussion of the following:

1. The number and complexity of the issues;

2. The policy implications that resolution of the dispute is expected to have, if any;

3. The topics on which the company plans to conduct discovery, including a description of the nature and quantity of information expected to be exchanged;

4. The specific measures taken to resolve the dispute informally; and

5. Any other matter the company believes relevant to determining whether the dispute is one suited for an expedited proceeding.

(5) Any petition for intervention shall provide the information required by paragraphs (4)(a)-(c) and (e) as it applies to the intervenor.

(6) The request for expedited proceeding shall be dismissed if it does not substantially comply with the requirements of paragraphs (2), (3) and (4), above. The first dismissal shall be without prejudice.

(7) The respondent company may file a response to the request. The response must be filed within 14 days of the filing of the request for expedited proceeding.

(a) The response shall include the name, address, telephone number, facsimile number and e-mail address of the respondent and the respondent's representative to be served, if different from the respondent.

(b) The response to the request may include any information that the company believes will help the Prehearing Officer decide whether use of the expedited dispute resolution process is appropriate. Such information includes, but is not limited to:

1. The respondent's willingness to participate in this process;

2. Statement of the specific issue or issues to be litigated from the respondent's perspective, and the respondent's position on the issue or issues;

3. A discussion of the topics listed in subparagraphs (4)(b)-(e)1.-5. above.

(8) No sooner than 14 days after the filing of the request for expedited proceeding, but promptly thereafter, the Prehearing Officer will decide whether use of the expedited proceeding is appropriate. The decision will be based on the factors provided in Section 364.058(3), Florida Statutes, the materials initially filed by the complainant company and, if a response is filed, the materials included in the response.

(9) Unless otherwise provided by order of the Prehearing Officer, based on the unique circumstances of the case, the schedule for each expedited case will be as follows:

(a) Day 0 – request for expedited proceeding, direct testimony and exhibits are filed;

(b) Day 14 – deadline for filing a motion to dismiss, and a response to the request for expedited proceeding;

(c) Day 21 – deadline for filing a response to the motion to dismiss, if one is filed; and, deadline for filing petitions to intervene, and intervenor testimony and exhibits.

(d) Day 42 – deadline for the Commission staff to file testimony;

(e) Day 56 – deadline for the respondent to file rebuttal testimony.

(10) The Prehearing Officer shall decide whether post-hearing briefs will be filed or if closing arguments will be made in lieu of post-hearing briefs. In making this decision the Prehearing Officer will consider such things as the number of parties, number of issues, complexity of issues, preferences of the parties, and the amount of testimony stipulated into the record.

(11) The Commission shall make a decision on the dispute within 120 days of the complainant company's filing of the request for expedited proceeding, direct testimony and exhibits.

(12) Responses to discovery requests shall be made within 15 days of service of the discovery requests, unless the Prehearing Officer decides otherwise based on the unique circumstances of the case.

(13) Service of all documents on the parties shall be by e-mail, facsimile or hand delivery. An additional copy shall be furnished by hand delivery, overnight mail or U.S. mail if the initial service was by e-mail or facsimile. Filing of all documents with the Commission shall be by hand delivery, overnight mail or any method of electronic filing authorized by the Commission.

(14) The applicability of this rule to the proceeding will be reassessed as factors affecting the complexity of the case, number of issues, or number of parties change during the proceeding.

(15) Once the Prehearing Officer has determined that use of an expedited proceeding is appropriate, nothing in this rule shall prevent the Prehearing Officer from making a later determination that the case is no longer appropriate for an expedited proceeding based on the number of parties, number of issues or the complexity of the issues. Nothing in this rule shall prevent the Commission from initiating an expedited proceeding on its own motion.

Specific Authority 350.127(2), 364.058(3) FS. Law Implemented 364.058 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rick Wright

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 1, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 30, No. 10, March 5, 2004

DEPARTMENT OF CORRECTIONS

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

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

SUMMARY: Redundant language is deleted from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.100 Inmate Orientation.

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes

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

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

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

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

RULE TITLE: Community Transportation Coordinator

RULE NO.: 41-2.011

Powers and Duties

PURPOSE AND EFFECT: This rule is being amended to allow for non-contracted transportation operators to be utilized in the event that a contracted transportation operator is unavailable.

SUMMARY: This rule sets forth the powers and duties of the Community Transportation Coordinator, and is being amended to set the criteria for utilizing a non-contracted transportation operator in the event a contracted operator is not available, sets out the requirements for obtaining approvals, and explains requirements the non-contracted operator must meet.

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: 427.013(9) FS.

LAW IMPLEMENTED: 427.0155 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A NOTICE OF HEARING DATE WILL BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lisa Bacot, Executive Director, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, Florida 32399-0450

THE FULL TEXT OF THE PROPOSED RULE IS:

41-2.011 Community Transportation Coordinator Powers and Duties.

(1) through (2) No change.

(3) When the Community Transportation Coordinator determines that a current contracted transportation operator is unable to provide the needed transportation services, the Community Transportation Coordinator may utilize a transportation provider that is not retained by contract with the Community Transportation Coordinator. This usage shall be incidental, not to exceed 5% of the previous year's total trip volume. Upon written request, the Community Transportation Coordinator may seek the Executive Director's approval to exceed 5% of the previous year's total trip volume. The Executive Director must respond, in writing, to the Community Transportation Coordinator's request by the end of the next business day. These non-contracted transportation providers must comply with the following:

(a) Be subject to a governmental ordinance relating to vehicles for hire services;

(b) Utilize certified meters and bill for services in accordance with the meter rate and/or established published flat rates;

(c) Maintain minimum insurance requirements as set forth in subsection 41-2.006(1), F.A.C.;

(d) Provide to the Community Transportation Coordinator the records of a Florida Department of Law Enforcement background check and Florida Department of Highway Safety and Motor Vehicles Driver License History Check of drivers; and

(e) At least once a year, allow the Community Transportation Coordinator to perform biennial vehicle inspections or review inspection reports.

(3) through (9) renumbered (4) through (10) No change.

Specific Authority 427.013(9) FS. Law Implemented 427.0155 FS. History—New 5-2-90, Amended 6-17-92, 6-15-93, 7-11-95, 5-1-96, 10-1-96, 3-10-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Department of Transportation, Center for the Transportation Disadvantaged

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Department of Transportation, Center for the Transportation Disadvantaged

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2004

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

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

RULE TITLES: General RULE NOS.: 60C-1.001

Definitions 60C-1.002

Communication Service Authorization (CSA) 60C-1.003

Agency Communication Service

Authorization (CSA) Representative 60C-1.004

Centralized Telecommunications Billing 60C-1.005

Telecommunications Billing Information 60C-1.006

Telecommunications Service Proposals 60C-1.007

Florida State Government Telephone Directory 60C-1.008

PURPOSE AND EFFECT: Rule Chapter 60C-1, F.A.C., is outdated in light of administrative and statutory changes, as well as technological developments. The Rule Chapter is being repealed and replaced with Rule Chapter 60DD-4. F.A.C.

SUMMARY: The outdated rule is repealed to reflect administrative and statutory changes, as well as technological developments.

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: 282.102(2), (16) FS.

LAW IMPLEMENTED: 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, and 282.107 FS.

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

TIME AND DATE: 9:00 a.m., July 19, 2004

PLACE: Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida 32399-0950

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

60C-1.001 General.

Specific Authority 282.102(18) FS. Law Implemented 282.004(6) FS. History—New 7-20-73, Amended 9-30-75, Formerly 13C-1.01, Amended 9-16-92, Formerly 13C-1.001, Repealed.

60C-1.002 Definitions.

Specific Authority 282.102(18) FS. Law Implemented 282.303 FS. History—New 7-20-73, Amended 9-30-75, Formerly 13C-1.02, Amended 9-16-92, Formerly 13C-1.002, Repealed.

60C-1.003 Communication Service Authorization (CSA).

Specific Authority 282.102(18) FS. Law Implemented 282.102(2) FS. History—New 7-20-73, Readopted 9-30-75, Formerly 13C-1.03, Amended 9-16-92, Formerly 13C-1.003, Repealed.

60C-1.004 Agency Communication Service Authorization (CSA) Representative.

Specific Authority 282.107(1) FS. Law Implemented 282.102(11)(16) FS. History—New 7-20-73, Readopted 9-30-75, 7-21-81, Formerly 13C-1.04, Amended 4-12-87, 9-16-92, Formerly 13C-1.004, Repealed.

60C-1.005 Centralized Telecommunications Billing.

Specific Authority 282.107(1), (18) FS. Law Implemented 282.102(16), 282.103(2) FS. History—New 7-20-73, Amended 9-30-75, Formerly 13C-1.05, Amended 9-16-92, Formerly 13C-1.005, Repealed.

60C-1.006 Telecommunications Billing Information.

Specific Authority 282.102(18) FS. Law Implemented 282.103(2) FS. History—New 7-20-73, Amended 9-30-75, Formerly 13C-1.06, Amended 9-16-92, Formerly 13C-1.006, Repealed.

60C-1.007 Telecommunications Service Proposals.

Specific Authority 282.102(18) FS. Law Implemented 282.102(12) FS. History—New 7-20-73, Amended 9-30-75, Formerly 13C-1.07, Amended 9-16-92, Formerly 13C-1.007, Repealed.

60C-1.008 Florida State Government Telephone Directory.

Specific Authority 282.102(18) FS. Law Implemented 282.102(22)(d) FS. History—New 7-20-73, Amended 9-30-75, Formerly 13C-1.08, Amended 9-16-92, Formerly 13C-1.008, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Chief Information Officer, State Technology Office, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2004

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Communications Procurement of Customer-Owned Equipment	60C-2
RULE TITLES:	RULE NOS.:
General	60C-2.001
Standard Specifications for Communications Equipment	60C-2.003
Technical Evaluation of Communications Proposals	60C-2.004
Initiation or Revision of Standard Specification for Communications Equipment	60C-2.005
Single Agency Procurement Requirements	60C-2.006
Special or Unique Communications Requirements	60C-2.007
Communications Purchase or Lease Authorization (CPLA) Form (COM 9008)	60C-2.008
Delegation to the State University System	60C-2.009

PURPOSE AND EFFECT: Rule Chapter 60C-2, F.A.C., is outdated in light of administrative and statutory changes, as well as technological developments. The Rule Chapter is being repealed and replaced with Rule Chapter 60DD-5, F.A.C.

SUMMARY: The outdated rule is repealed to reflect administrative and statutory changes, as well as technological developments.

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: 282.102(2), (16) FS.

LAW IMPLEMENTED: 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS.

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

TIME AND DATE: 9:00 a.m., July 19, 2004

PLACE: Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida 32399-0950

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

60C-2.001 General.

Specific Authority 287.25(17) FS. Law Implemented 282.25(2), (10), (11), (15) FS. History—New 12-10-75, Formerly 13C-2.01, 13C-2.001, Repealed.

60C-2.003 Standard Specifications for Communications Equipment.

Specific Authority 282.25(17) FS. Law Implemented 287.25(3) FS. History—New 12-10-75, Formerly 13C-2.03, 13C-2.003, Repealed.

60C-2.004 Technical Evaluation of Communications Proposals.

Specific Authority 282.102(18) FS. Law Implemented 282.102(5) FS. History—New 12-10-75, Formerly 13C-2.04, Amended 9-16-92, Formerly 13C-2.004, Repealed.

60C-2.005 Initiation or Revision of Standard Specification for Communications Equipment.

Specific Authority 282.25(17) FS. Law Implemented 287.25(3) FS. History—New 12-10-75, Formerly 13C-2.05, 13C-2.005, Repealed.

60C-2.006 Single Agency Procurement Requirements.

Specific Authority 282.102 (18) FS. Law Implemented 282.102(2), (16) FS. History—New 12-10-75, Formerly 13C-2.06, Amended 9-16-92, Formerly 13C-2.006, Repealed.

60C-2.007 Special or Unique Communications Requirements.

Specific Authority 282.102 (18) FS. Law Implemented 282.102(2), (10), (16) FS. History--New 12-10-75, Formerly 13C-2.07, Amended 9-16-92, Formerly 13C-2.007, Repealed

60C-2.008 Communications Purchase or Lease Authorization (CPLA) Form (COM 9008).

Specific Authority 282.102 (18) FS. Law Implemented 282.102(2), (10), (16) FS. History--New 12-10-75, Formerly 13C-2.08, Amended 4-12-87, 9-16-92, Formerly 13C-2.008, Repealed

60C-2.009 Delegation to the State University System.

Specific Authority 282.102(18) FS. Law Implemented 282.102(11)(16) FS. History--New 6-15-83, Formerly 13C-2.09, Amended 9-16-92, Formerly 13C-2.009, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Chief Information Officer, State Technology Office, Department of Management Services.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2004.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

Table with 2 columns: RULE CHAPTER TITLE and RULE CHAPTER NO. It lists various rule titles such as 'Eligibility and Use of State Communications System' and 'General' with their corresponding chapter numbers like 60C-6.

PURPOSE AND EFFECT: Rule Chapter 60C-6, F.A.C., is outdated in light of administrative and statutory changes, as well as technological developments. The Rule Chapter is being repealed and replaced with Rule Chapter 60DD-6, F.A.C.

SUMMARY: The outdated rule is repealed to reflect administrative and statutory changes, as well as technological developments.

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: 282.102(2), (16) FS.

LAW IMPLEMENTED: 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS.

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

TIME AND DATE: 9:00 a.m., July 19, 2004

PLACE: Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida 32399-0950

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

60C-6.001 General.

Specific Authority 287.25(17), 287.255 FS. Law Implemented 282.25(15), (18), 287.255, 287.272, 287.251, 657.008 FS. History--New 6-29-83, Formerly 13C-7.01, 13C-7.001, Repealed

60C-6.002 Definitions.

Specific Authority 282.25(17), 287.255 FS. Law Implemented 287.25(15), (18), 287.255, 287.272, 287.251 FS. History--New 6-29-83, Formerly 13C-7.02, 13C-7.002, Repealed

60C-6.004 Cost Qualification Criteria for the State Communications System.

Specific Authority 287.25(17) 287.255 FS. Law Implemented 287.25(15), (18) FS. History--New 6-29-83, Formerly 13C-7.04, 13C-7.004, Repealed

60C-6.005 Agreements.

Specific Authority 287.25(17), 287.255 FS. Law Implemented 287.25(15), (18) FS. History--New 6-29-83, Formerly 13C-7.04, 13C-7.004, Repealed

60C-6.006 Review of Eligibility of Users.

Specific Authority 287.25(17), 287.255 FS. Law Implemented 287.255(2) FS. History--New 6-29-83, Formerly 13C-7.06, 13C-7.006, Repealed

60C-6.007 Modifications, Additions, Reductions or Terminations to Existing SUNCOM and Telpak Service Initiated by a User.

Specific Authority 282.25(17) FS. Law Implemented 287.25(15) FS. History--New 6-29-83, Formerly 13C-7.07, 13C-7.007, Repealed

60C-6.008 Additions or Modifications to Existing SUNCOM Service Initiated by the Division.

Specific Authority 287.25(17) FS. Law Implemented 287.25(15), (18) FS. History--New 6-29-83, Formerly 13C-7.08, 13C-7.007, Repealed

60C-6.009 Actions Initiated by the Division of Communications Resulting in Termination or Reduction of State Communications Systems Services.

Specific Authority 287.25(17), 287.255(3) FS. Law Implemented 287.25(15), (18), 287.255(2), (3) FS. History--New 6-29-83, Formerly 13C-7.09, 13C-7.009, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Chief Information Officer, State Technology Office, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2004

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

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

PURPOSE, EFFECT AND SUMMARY: The proposed rules are a substantial rewording of current Rule Nos. 60C-1.001-008, Florida Administrative Code, in light of administrative and statutory changes, as well as technological developments.

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: 282.102(2), (16) FS.

LAW IMPLEMENTED: 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS.

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

TIME AND DATE: 9:00 a.m., July 19, 2004

PLACE: Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida 32399-0950

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

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

THE FULL TEXT OF THE PROPOSED RULES:

60DD-4.001 General.

The State Technology Office shall act as a centralized coordinator for the state's communication services and the point of contact for communications service providers to interface with the state. As mandated by Section 282.103(1), Florida Statutes, the State Technology Office shall design, acquire, engineer, implement and operate a statewide network referred to as SUNCOM. The SUNCOM network shall provide services for voice, data, video, radio, telephone, wireless, and image to qualified users. This rule chapter applies to state agencies, political subdivisions of the state, municipalities, state universities, libraries, and nonprofit corporations using SUNCOM or procuring communications services through the State Technology Office.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History--New

60DD-4.002 Definitions.

Definitions. The following terms are defined:

(1) Authorizing Official – An individual with authority to encumber and commit funds on behalf of the Eligible User and to approve expenditures for communications services or equipment procured through the State Technology Office. The Authorizing Official appoints Communications Service Authorization (“CSA”) Administrators to manage the CSA process as set forth in this rule chapter.

(2) Communication Service Authorization Administrator or CSA Administrator– An individual authorized by the Eligible User to manage communication services provided by or equipment procured through the State Technology Office. The CSA Administrator is also authorized to administer the

online CSA process on behalf of the Eligible User. The CSA Administrator has the authority to manage the CSA process as set forth in this rule chapter.

(3) Communication Service Provider – Entity providing communications services within the State of Florida. The Communication Service Provider must be in compliance with all applicable laws, including rules or regulations promulgated by the Florida Public Service Commission and the Federal Communications Commission.

(4) CSA System – The State Technology Office’s online system for ordering SUNCOM services that is available to Eligible Users by accessing the website <http://onlinecsa.myflorida.com>. Approved and registered CSA Administrators and CSA Users submit Form STO-COM-9001, incorporated by reference at Rule 60DD-6.006, Florida Administrative Code, and Form STO-COM-9008, incorporated by reference at Rule 60DD-5.002, Florida Administrative Code, through the CSA System to procure services from the State Technology Office on behalf of the Eligible User.

(5) CSA User – An individual approved by the Eligible User’s CSA Administrator to gain access and to perform assigned functions on the State Technology Office SUNCOM Online Communications Service Authorization and Communications Purchase and Lease Authorization System (“CSA System”).

(6) Eligible User – qualifying user of SUNCOM services as defined in Florida law, including state agencies, political subdivisions of the state, municipalities, state universities, libraries, and non-profit corporations.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History–New _____.

60DD-4.003 Communication Service Authorization; Administration; Approval.

(1) The State Technology Office shall be responsible for coordinating the acquisition of and contracting for any and all communications services or facilities available from communications service providers. The Communication Service Authorization (“CSA”) Administrator shall have the responsibility and authority to control communications requirements, to control and assign authorization numbers, and to designate and grant authority to other CSA Users for facilitating the procurement of communications services for the Eligible User. The CSA Administrator shall provide the State Technology Office with updated information regarding control communications requirements, authorization numbers, and decisions to designate and grant authority to other CSA Users for facilitating the procurement of communications services.

(2) Responsibilities of Eligible Users.

(a) Each Eligible User shall assign one or more Communications Service Authorization (“CSA”) Administrators the responsibility for approval of proposed

changes or additions to communications services and the authority to represent the Eligible User by performing administrative functions that facilitate the CSA approval process. Representing or acting as the Authorizing Official for the Eligible User, the Communication Service Authorization (“CSA”) Administrator will have the responsibility and authority to control communications requirements, to control and assign authorization numbers, and to designate and grant authority to other CSA Users for facilitating the procurement of communications services for the Eligible User.

(b) Each Eligible User shall have the sole responsibility to ensure that only its duly designated CSA Administrator(s) or CSA User(s) submit or approve CSA forms.

(c) Each Eligible User shall be solely responsible for auditing invoices against the CSA forms and ensuring that subsequent billings reflect correct inventory, correct service connection charges (non-recurring), and correct recurring charges.

(3) Communications Service Authorization (CSA) Approval.

(a) Notwithstanding the provisions of subsection 60DD-4.003(1), F.A.C., the State Technology Office is not required to give prior approval of expenditures of less than the dollar limit set by Category Two of Section 287.017, Florida Statutes, including all non-recurring and recurring charges for the first year. Each Eligible User shall send a completed State Technology Office Form STO-COM-9001, incorporated by reference at Rule 60DD-6.006, Florida Administrative Code, directly to the Communications Service Provider.

(b) The State Technology Office must give prior approval to all communications service requests regardless of cost for inter-city (voice and data) circuits, all SUNCOM access and transport services (voice, data, video, radio and image), and additions to consolidated voice systems that exceed 25 lines and all additions to SUNCOM intra-city network access and transport services (i.e., SUNCOM facilities serving multiple agencies, Metropolitan Area Networks and Local Area Network interconnectivity facilities which serve multiple agencies and provide access to the SUNCOM digital inter-Local Area Transport Area backbone.)

(c) Subject to the provisions of Rule 60DD-6.008, F.A.C., the State Technology Office retains its authority for subsequent review and approval or disapproval of the procurement of the equipment or services.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History–New _____.

60DD-4.004 Centralized Communications Billing. The State Technology Office shall provide equitable billing and charges for

(1) Eligible Users' communications services provided in consolidated or joint-use systems of communications. State Technology Office billing processes shall prorate the SUNCOM Network direct and indirect costs among the Eligible Users based upon the Service provided.

(2) The Eligible User shall send one copy of the State Technology Office invoice summary element with its warrant or journal transfer notice to the Department of Management Services, Bureau of Financial Management, Post Office Box 5438, Tallahassee, Florida 32399-5438, for proper crediting of its account. The entire amount of the bill is due within 30 days of the invoice date printed on the invoice. Non-payment of the bill within 40 days constitutes sufficient reason for the State Technology Office to notify the applicable Communications Service Provider to terminate the communications service used for access to the SUNCOM Network.

(3) Communications Service Providers must provide billing data for any communications service to the Billing Supervisor, State Technology Office, 4030 Esplanade Way, Tallahassee, Florida 32399-0950. The method of billing shall be through file transfer protocol (FTP) in electronic data interface (EDI) format. The format should be ASC X12 Consolidated Services Invoice/Statement (811), Version 4010.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New _____.

60DD-4.005 Communications Service Proposals.

Except as otherwise delegated by law, Communications Service Providers or other persons making proposals shall submit all proposals for procurement of new or additional communications services and equipment, including information regarding any termination charges, to the State Technology Office, 4030 Esplanade Way, Tallahassee, Florida 32399-0950.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New _____.

60DD-4.006 Florida State Government Listings.

(1) The State Technology Office shall maintain State of Florida government listings information on the state government 411 website at MyFlorida.Com. The State Technology Office shall have final authority regarding format and standardization of the state government 411 website at www.MyFlorida.com

(2) The State Technology Office shall provide the State of Florida government listings information in all local commercial directories. The State Technology Office shall have final authority regarding State of Florida government listings information in all local commercial directories.

(3) Each agency and Eligible User shall be responsible for submitting updated listings through utilization of interfaces provided by the State Technology Office on the state

government 411 website at www.MyFlorida.Com or 411helpdesk@MyFlorida.Com or, if access is not available online, by writing to:

State Technology Office
Attention: Directory Records Listings Information
4030 Esplanade Way
Tallahassee, Florida 32399-0950

(4) State agencies or Eligible Users are responsible for the costs of any agency listing. The State Technology Office shall be responsible for the format, standardization and distribution of the state government listings information.

(5) Each state agency or Eligible User shall provide to the State Technology Office and continually maintain current information regarding a primary and secondary contact person, each with authority to present data regarding the state agency or Eligible User to the State Technology Office.

(6) Each state agency shall provide and maintain a contact person for escalation and response to complaints or inquiries regarding directory data respective to the agency and as required by the Florida Customer Service Standards Act, Section 23.30, Florida Statutes.

(7) To ensure that all state government listings information and listings in local commercial directories remain current, each state agency or Eligible User has a continuing duty to provide updated information to the State Technology Office throughout the calendar year. Each state agency or Eligible User shall submit notification requesting deletion of listings no longer applicable to the state agency or Eligible User concerned.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.108(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Chief Information Officer, State Technology Office, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2004

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

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE CHAPTER TITLE: Procurement of Customer-Owned or Leased Communications Equipment and Services

RULE CHAPTER NO:

Leased Communications

Equipment and Services

60DD-5

RULE TITLES: RULE NOS.:
 General 60DD-5.001
 Approval Thresholds; Exemptions; Requests; Documentation 60DD-5.002
 Delegation to the Department of Education 60DD-5.003
 Specifications for State Purchasing and State Technology Office Contracts 60DD-5.004
 Special or Unique Agency Communications Requirements 60DD-5.005

PURPOSE, EFFECT AND SUMMARY: The proposed rule is a substantial reorganization and rewording of Rule Nos. 60C-2.001-009, Florida Administrative Code, in light of administrative and statutory changes, as well as technological developments.

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: 282.102(2), (16) FS.
 LAW IMPLEMENTED: 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS.

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

TIME AND DATE: 9:00 a.m., July 19, 2004
 PLACE: Betty Easley Center, 4075 Esplanade Way, Room 182, Tallahassee, Florida 32399-0950

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

60DD-5.001 General.

The State Technology Office shall approve the purchase, lease and use of communications equipment, facilities and services by state agencies, except as delegated pursuant to law and as set forth in this rule chapter.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New

60DD-5.002 Approval Threshold, Exemptions; Requests; Documentation.

(1) Agencies shall request approval from the State Technology Office for the purchase or lease of all communications equipment and services when the cost exceeds the dollar amount set forth as Category Two in section 287.017, Florida Statutes. Such cost shall be determined by including all recurring and non-recurring charges for the first year. The fair market value of any loan or gift of communications equipment or services shall be included in the cost.

(2) Agencies shall request approval from the State Technology Office for purchases and leases by submitting Form STO-COM-9008, Communications Purchase or Lease Authorization Form (“CPLA”), effective September 17, 2004, which is hereby incorporated by reference. Form STO-COM-9008 can be obtained by writing to:

State Technology Office
 4030 Esplanade Way
 Tallahassee, Florida 32399-0950.

The requesting agency shall furnish to the State Technology Office upon request any supplementary documentation necessary to properly evaluate the agency request.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New

60DD-5.003 Delegation to the Department of Education.

The authority to acquire, lease, and utilize broadcast communications equipment, facilities, and services is hereby delegated to the Department of Education in the procurement of broadcast equipment, facilities, and services for use by the public and educational broadcast entities licensed by the Federal Communications Commission.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New

60DD-5.004 Specifications for State Purchasing and State Technology Office Contracts.

(1) The State Technology Office shall work in conjunction with the Department of Management Services, State Purchasing Office, to develop the technical sections of state contracts for multi-agency procurement of voice, video and data communications equipment and services. The State Technology Office shall approve such contract sections. Responses received for such procurements shall be evaluated by the State Technology Office for technical merit and compliance with technical requirement specified in the procurement documents.

(2) Specifications and documents utilized by the State Technology Office in both single and multi-agency procurements of equipment and services, including SUNCOM services, shall be compiled by the State Technology Office.

The procurement process, including the evaluation of vendor responses, shall be performed as directed by the Purchasing Office of the State Technology Office.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New

60DD-5.005 Special or Unique Agency Communications Requirements.

When an agency determines that a need for special or unique communications products or services exists, and the cost exceeds the threshold set forth in Category Two of section 287.017, Florida Statutes, the agency shall describe the special or unique communications requirements utilizing Form STO-COM-9008, Communications Purchase or Lease Authorization Form (“CPLA”), effective September 17, 2004, which is hereby incorporated by reference. Form STO-COM-9008 can be obtained by writing to:

State Technology Office
4030 Esplanade Way
Tallahassee, Florida 32399-0950.

Special and unique communications requirements will include any single agency procurement handled by an agency’s purchasing office.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Chief Information Officer, State Technology Office, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2004

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

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

Table with 2 columns: RULE CHAPTER TITLE and RULE CHAPTER NO.: Eligibility and Use of State Communications System 60DD-6; RULE TITLES: General 60DD-6.001, Definitions 60DD-6.002, Qualification Criteria for State Long Distance Communications System 60DD-6.003, SUNCOM Network Services Agreement 60DD-6.004, Review of Eligibility of Users 60DD-6.005

Table with 2 columns: Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by an Eligible User 60DD-6.006; Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by the State Technology Office 60DD-6.007; Required Usage 60DD-6.008

PURPOSE, EFFECT AND SUMMARY: The proposed rule is a substantial reorganization and rewording of existing Rules 60C-6.001-.009, Florida Administrative Code (which is being repealed), in light of administrative and statutory changes, as well as technological developments.

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: 282.102(2), (16) FS. LAW IMPLEMENTED: 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107, FS.

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

TIME AND DATE: 9:00 a.m., July 19, 2004 PLACE: Betty Easley Center, 4075 Esplanade Way, Room 182, Tallahassee, Florida 32399-0950

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

60DD-6.001 General.

The purpose of this rule chapter is to establish criteria for the eligibility and procedures for utilization of the state communications system, which shall be administered by the State Technology Office.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New

60DD-6.002 Definitions.

(1) Eligible User – qualifying user of SUNCOM services as defined in Florida law, including state agencies, political subdivisions of the state, municipalities, state universities, libraries, and non-profit corporations.

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

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History–New _____.

60DD-6.003 Qualification Criteria for State Long Distance Communications System.

(1) The qualification criteria for initial qualification for the state long distance communications system is a net reduction to the State of Florida for communications services.

(2) For Eligible Users that have had commercial telephone services for at least three months, the State Technology Office shall determine cost by comparing the average monthly long distance telephone costs, as shown by the Eligible User's three most recent months' invoices, to the cost of providing SUNCOM long distance service based on access line costs, the current SUNCOM rate, and the minutes of usage.

(3) For Eligible Users that have not had commercial telephone services for at least three months, the State Technology Office shall use the average monthly long distance telephone costs as shown by the three most recent months' invoices received by offices having similar size and functions. If such information is not available, the State Technology Office shall estimate the commercial telephone services cost that would be incurred by the Eligible User, based on information concerning the size and functions of the Eligible User. The State Technology Office, in its analysis, shall consider the usage resulting from an extraordinary number of incoming calls to the Eligible User from other SUNCOM users and the increase in the number of long distance calls that may result from unexpressed demand, i.e., the increased number of calls that are anticipated to be made on SUNCOM that are not currently being made because of financial or other constraints.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History–New _____.

60DD-6.004 SUNCOM Network Services Agreements.

To utilize the state communications system, Eligible Users other than state agencies shall submit Form STO-COM-9010, SUNCOM Network Services Agreement, effective September 17, 2004, which is hereby incorporated by reference. Form STO-COM-9010 can be obtained on line at www.onlinecsa.myflorida.com or by writing to:

State Technology Office
4030 Esplanade Way
Tallahassee, Florida 32399-0950.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History–New _____.

60DD-6.005 Review of Eligibility of Users.

Each Eligible User has the responsibility to notify the State Technology Office in writing at the address set forth in Rule 60DD-6.004, Florida Administrative Code, upon a

determination of loss of eligibility or when an entity under contract becomes ineligible. The State Technology Office shall remove entities determined to be ineligible pursuant to Rule 60DD-6.007, Florida Administrative Code.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History–New _____.

60DD-6.006 Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by an Eligible User.

To obtain approval for any modifications, additions, reductions, or terminations of SUNCOM service, the Eligible User's Communications Service Authorization Representative shall submit State Technology Office Form (Form STO-COM-9001, Communications Services Authorization, effective September 17, 2004, which is hereby incorporated by reference.) Form STO-COM-9001 can be obtained at www.onlinecsa.myflorida.com or by writing to:

State Technology Office
Attention: CSA Processing
4030 Esplanade Way
Tallahassee, Florida 32399-0950

Form STO-COM-9001 shall be submitted to the State Technology Office at least 45 days in advance of the requested effective date. Failure to submit FORM STO-COM-9001 for the termination or modification of a service within the required time frame will result in continued charges for the existing service.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History–New _____.

60DD-6.007 Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by the State Technology Office.

(1) Eligible Users are required to maintain a maximum of 3% blockage rate. Changes to an Eligible User's SUNCOM service initiated by the State Technology Office will be processed as provided herein.

(2) The State Technology Office shall provide notification to the Communications Service Authorization Representative of any required changes to the Eligible User's service following a traffic review history. In response within 30 days from such notice, the Eligible User must either submit Form STO-COM-9001 or a written statement why the proposed actions of the State Technology Office cannot be effectuated.

(3) If no response is received by the State Technology Office within the period set forth in subsection 60DD-6.007(2), Florida Administrative Code, the State Technology Office shall notify the Eligible User for a second time of any required changes to the user's service. If the user has not taken any responsive action or formalized the State Technology Office's recommendations through submission of a Form STO-COM-9001 within an additional 15 days, then the State

Technology Office shall complete Form STO-COM-9001 on behalf of the Eligible User, and provide notification of its action to the Eligible User.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New _____.

60DD-6.008 Required Usage.

All state agencies and state universities are required to use the SUNCOM network for agency and state university communications services in accordance with Section 282.103(3), Florida Statutes.

Specific Authority 282.102(2), (16) FS. Law Implemented 282.102(8), (10), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Chief Information Officer, State Technology Office, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2004

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE TITLE: Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees RULE NO.: 61G3-20.002

PURPOSE AND EFFECT: The Board proposes the development of rules to make changes to examination and reexamination fees.

SUMMARY: The proposed rule makes changes to the written portion of the examination and reexamination fees for Barbers' licensure.

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

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

SPECIFIC AUTHORITY: 455.2171, 476.064(4), 476.192 FS. LAW IMPLEMENTED: 455.2171, 476.192 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Malone, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-20.002 Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees.

(1) No change.

(2) The application fee for licensure by means of examination and reexamination for restricted barbers shall be as follows:

Method of Licensure: Application Fee:

(a) Examination and Reexamination

1. No change

2. Written Portion The application fee for both the examination and reexamination for the written portion shall be seventy-five dollars (\$75.00). Sixty-one dollars and fifty cents (\$61.50) Seventy dollars and fifty cents (\$70.50) of both the examination and the reexamination application fee for the written portion of the examination shall be paid to the Department and thirteen dollars and fifty cents (\$13.50) four dollars and fifty cents (4.50) shall be paid to the professional testing service.

(3) No change.

Specific Authority 455.2171, 476.064(4), 476.192 FS. Law Implemented 455.2171, 476.192 FS. History—New 7-16-80, Amended 6-30-83, 10-17-85, Formerly 21C-20.02, Amended 12-15-87, 5-11-88, Formerly 21C-20.002, Amended 9-21-94, 11-6-00, 2-19-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Cosmetologist Reexamination Fee
 RULE NO.: 61G5-24.006

PURPOSE AND EFFECT: The Board proposes development of this rule to address the reexamination fee.

SUMMARY: The proposed rule sets forth amendments to the reexamination fees conducted by a professional testing service for licensure of Cosmetologist.

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: 477.016, 477.026 FS.

LAW IMPLEMENTED: 455.2171, 477.026(1)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Malone, Executive Director, Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399-0790

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-24.006 Cosmetologist Reexamination Fee.

When the examination for licensure as a cosmetologist is not conducted by a professional testing service pursuant to Section 455.2171, F.S., the reexamination fee shall be fifty dollars (\$50.00), and shall be payable to the Department. When the examination for licensure as a cosmetologist is conducted by a professional testing service pursuant to Section 455.2171, F.S., the reexamination fee shall be twenty-three dollars (\$23.00) ~~eleven dollars (\$11.00)~~ which shall be payable to the Department; and, twenty-seven dollars (\$27.00) ~~nineteen dollars and fifty cents (\$19.50)~~ per part of the licensure examination to be retaken by the applicant, which shall be payable to the professional testing service.

Specific Authority 477.016, 477.026 FS. Law Implemented 455.2171, 477.026(1)(b) FS. History—New 11-2-80, Amended 6-20-83, 10-1-85, Formerly 21F-24.06, Amended 9-6-87, 1-10-90, Formerly 21F-24.006, Amended 4-13-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology

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

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: General Requirements of Clinical
 RULE NO.: 64B3-3.001

Laboratory Personnel Training Programs
 PURPOSE AND EFFECT: The Board proposes to update and clarify the existing rule text.

SUMMARY: The Board has determined it is necessary to revise instruction periods for specifically named categories and set forth the requirements for andrology and embryology courses.

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: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.800, 483.809, 483.811 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs.

(1) through (4) No change.

(5)(a) through (l) No change.

(m) In the combined categories of clinical chemistry, hematology, immunohematology, microbiology, and serology/immunology, provide ~~a minimum of one (1) year of~~ integrated instruction covering all categories.

(n) through (o) No change.

(p) In the category of andrology or embryology, a minimum of six months of instruction.

(q)(r) No change.

(6) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 12-28-94, Amended 7-12-95, 4-24-96, Formerly 590-3.001, Amended 1-11-99, 11-15-99, 9-29-02, 2-2-04,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

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

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE TITLE: Citations RULE NO.: 64B7-30.004

PURPOSE AND EFFECT: The Board proposes to amend the citation rule to clarify the violations eligible for citation, clarify that costs of investigation and prosecution are imposed by citation, clarify the method of citation service and specify the time within which a citation monetary penalty must be paid.

SUMMARY: The rule specifies the method of service, the penalties imposed and the time within which the penalty is to be paid.

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

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

SPECIFIC AUTHORITY: 456.072, 456.077 FS.

LAW IMPLEMENTED: 456.072, 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-30.004 Citations.

(1) Definitions. As used in this rule:

(a) "Citation" means an instrument which meets the requirements set forth in Section 456.077, F.S., and which is served upon a subject in the manner provided in Section

456.077, F.S. for the purpose of assessing a penalty in an amount established by this rule;

(b) No change.

(2) In lieu of the disciplinary procedures contained in Section 456.0727, F.S., the Department is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint which is the basis for the citation.

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

(j) False, misleading or deceptive advertising by Advertising massage therapy services under a name under which a license has not been issued in violation of Section 480.046(1)(d), F.S., shall result in a penalty of \$250.00.

(k) Violating Section 456.072(1)(h), F.S. by tendering a check that is dishonored by the institution upon which it is drawn shall result in a penalty of \$250.00.

(l) No change.

(4) In addition to the fines imposed herein, the costs of investigation and prosecution for each offense shall be assessed in the citation.

(5) All fines and costs imposed in a citation shall be paid within 30 days of the date the citation is filed.

Specific Authority 456.072, 456.077 FS. Law Implemented 456.072, 456.077 FS. History—New 1-1-92, Amended 11-15-92, Formerly 21L-30.004, Amended 9-30-93, 12-12-93, 4-21-97, Formerly 61G11-30.004, Amended 8-16-98, 7-18-99, 7-27-00, 10-12-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 4, 2004

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE TITLES: Citations RULE NOS.: 64B20-7.004

Mitigating and Aggravating Circumstances 64B20-7.005

PURPOSE AND EFFECT: The Board proposes to revise the rules to conform to amendments to the authorizing statutes.

SUMMARY: The amendments clarify the offenses chargeable by citation, the method of citation service and the types of penalties to be assessed in a citation, as well as when a citation is considered disciplinary action. The amendments to mitigating and aggravating circumstances clarify that a prior offense or absence thereof, is not a basis for departure from a usual guideline penalty range, unless the prior is different from the offense being adjudicated.

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

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

SPECIFIC AUTHORITY: 456.072, 456.073, 456.077, 456.079(3), 468.1135(4) FS.

LAW IMPLEMENTED: 456.072, 456.077, 456.079, 468.1295 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

64B20-7.004 Citations.

(1) through (2) No change.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) through (c) No change.

(d) Failure to maintain and have available for inspection by the Agency certifications for the testing and calibration of any audiometric testing equipment designated by the Board covering the current year ~~as well as the 3 years prior~~. The ~~usual action of the Board shall be to impose a fine~~ shall be of \$250. (See Rule 64B20-8.001 F.A.C.; Section 468.1295(1)(k), ~~(t)~~, Florida Statutes)

(4) If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail restricted delivery, the citation shall become a final order of the Board of Speech Language Pathology and Audiology. The subject has 30 days from the date the citation becomes a final order to pay the fine, along with and costs of investigation and prosecution, which shall be imposed in each citation issued. Failure to pay the fine and costs within the prescribed time period constitutes a violation of Sections 456.072(1)(q) and 468.1295(1)(g), Florida Statutes, which will result in further disciplinary action. All fines and costs are to be made payable to "Florida Department of Health Agency for Health Care Administration - Citation."

(5) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected. ~~If the violation is a substantial threat to the public health, safety and welfare, such potential for harm must be removed prior to issuance of the citation.~~

(6) Once the citation becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, Florida Statutes, unless otherwise exempt from the provisions

of Chapter 119, Florida Statutes. The initial citation final order against a license shall not and complaint may be considered as ~~aggravating circumstances in future~~ disciplinary actions ~~pursuant to Rule 64B20-7.001, F.A.C.~~ A second citation final order against a license shall be considered disciplinary action.

(7) No change.

Specific Authority 456.072, 456.077, 456.073 FS. Law Implemented 456.072, 456.077, 468.1295 FS. History-New 2-12-92, Amended 8-24-92, 11-9-92, Formerly 21LL-7.004, 61F14-7.004, 59BB-7.004, Amended _____.

64B20-7.005 Mitigating and Aggravating Circumstances.

(1) The Board shall be entitled to deviate from the disciplinary guidelines upon a showing of aggravating or mitigating circumstances ~~by clear and convincing evidence~~. A specific finding in the final order of mitigating or aggravating circumstances shall allow the Board to impose a penalty other than that provided for in the guidelines.

(2) Aggravating circumstances include:

(a) Disciplinary history of previous violations of the practice act and rules promulgated thereto, other than violations adjudicated in the case being considered.

(b) through (e) No change.

(3) Mitigating circumstances include:

(a) Lack of previous disciplinary history, as to violations not adjudicated in the case being considered.

(b) through (e) No change.

Specific Authority 456.073, 456.079(3), 468.1135(4) FS. Law Implemented 456.079, 468.1295 FS. History-New 9-17-92, Formerly 21LL-7.005, 61F14-7.005, 59BB-7.005, Amended 3-6-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech-Language Pathology and Audiology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2004

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER NO.: RULE CHAPTER TITLE:

5E-2 Pesticides

RULE NO.: RULE TITLE:

5E-2.033 Organo-Auxin Herbicides:

Restrictions and Prohibitions

NOTICE OF CHANGE

In accordance with subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the proposed Rule 5E-2.033, F.A.C., published in the FAW, Vol. 30, No. 9 on February 27, 2004 has been changed to reflect comments received from the public during the hearings held on March 23, May 12 and May 13, 2004. The Rule now reads as follows:

5E-2.033 Organo-Auxin Herbicides: Restrictions and Prohibitions.

(1) through (8) No change.

(9) The ground application of low volatility 2,4D products registered in the State of Florida for use as a growth regulator on red potatoes in small dosages substantially less than for herbicidal use is not subject to the use regulations and restrictions set forth in subsections (3) and (4) of this rule provided the product is not applied within 50 feet of susceptible crops, the spray boom height does not exceed 18 inches above the crop canopy and label instructions are followed.

Specific Authority 487.051(4), 487.154, 570.07(23) FS. Law Implemented 487.031(10), 487.031(13)(e) FS. History--New 2-4-86, Amended 7-10-89, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Dale Dubberly, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, FL 32399-1650

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER NO.: RULE CHAPTER TITLE:

5E-2 Pesticides

RULE NO.: RULE TITLE:

5E-2.033 Organo-Auxin Herbicides: Restrictions and Prohibitions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule, as noticed in Vol. 30, No. 23, June 4, 2004, Florida Administrative Weekly has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.201 Inmate Property

THIRD NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 9, (February 27, 2004), Vol. 30, No. 14, (April 2, 2004), and Vol. 30, No. 20, (May 14, 2004) issue of the Florida Administrative Weekly:

33-602.201 Inmate Property.

(1) through (3) No change.

(4) Authorized Property

(a) through (d) No change.

(e) An inmate transferred from a private prison to a Department of Corrections facility shall be permitted to retain only that property that is authorized by the department in Appendix 1. Any unauthorized item will be confiscated and held by the institution for 30 days. During this 30 day period, the inmate shall be given an opportunity to have the items picked up by an approved visitor, relative or friend, or to mail the items to persons of their choice at no expense to the Department of Corrections. The 30 day time period will not include any time during which a grievance or appeal is pending.

(5) through (17) No change.

APPENDIX ONE
PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all Department institutions and facilities except community correctional centers. Except for items specified below as "exemptions", property received must be in compliance with this list. Inmates in possession of ~~previously approved~~ previously approved property previously approved by the Department of Corrections which meets the description of property on the list shall be allowed to retain the property. Inmates transferring to department facilities from private correctional facilities shall be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private facilities may differ from those sold in department canteens, items purchased in canteens at private facilities will not always be admissible in department facilities.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:
40B-2 Permitting of Water Use

NOTICE OF CORRECTION OF PRIOR
NOTICE OF PROPOSED RULE

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: The Notice of Proposed Rule for 40B-2.321, Florida Administrative Code, published on May

28, 2004, in FAW indicated that the Notice of Proposed Rule Development was published on May 28, 2004. The correct date is April 2, 2004.

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE NO.: 60A-1.006
 RULE TITLE: Vendors and Contractors
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., originally published in Vol. 30, No. 17, April 23, 2004 issue of the Florida Administrative Weekly:

PROPOSED RULE 60A-1.006 IS CHANGED TO READ AS FOLLOWS:

60A-1.006 Vendors and Contractors ~~Vendor Registration and Default.~~

(1) ~~Registration of All Vendors Doing Business with the State~~ All vendors desiring to sell to the State commodities or contractual services as defined in Section 287.012, F.S., shall register in MyFloridaMarketPlace, the State e-procurement system, in compliance with Rule 60A-1.030, F.A.C. The integrity, reliability and qualifications of a bidder or offeror, with regard to the capability in all respects to perform fully the contract requirements, shall be determined by the agency prior to the award of the contract.

(2) ~~Removal Suspension~~ of Vendors by the Department – The Department is authorized to remove any vendor from the vendor list maintained pursuant to Section 287.042(1)(a), F.S., for failing to fulfill any of its duties specified in a contract with the State, the reasons contained herein:

(a) ~~Failure to conform with the terms and conditions of any contract between the vendor and the Department, another agency, or the State.~~

(b) ~~Any unlawful attempt to influence the award of any contract.~~

(c) ~~Any material misrepresentation submitted in response to any competitive solicitation.~~

(3) No change.

(a) through (e) No change.

(f) ~~All correspondence to a vendor respecting failure to perform shall be sent by a courier service that provides delivery confirmation and tracking services.~~

(g) The foregoing provisions do not limit, waive or exclude the State's remedies against the defaulting contractor at law or in equity.

(4) A copy of all agency default actions shall be provided to the Department. Pursuant to paragraph (2), the the Department may remove the vendor from its vendor list; ~~maintained pursuant to paragraph (2).~~

(5) ~~Convicted Vendor List – The Department shall maintain a convicted vendor list, consisting of the names and addresses of those who have been disqualified from the public contracting and purchasing process under Section 287.133, F.S. The Department shall publish an updated version of the list quarterly. The revised quarterly lists shall be published on the Department's website at <http://www.myflorida.com>. If good cause exists, the Department shall notify the person or affiliate in writing of its intent to place the name of that person or affiliate on the convicted vendor list, and of the person's or affiliate's right to a hearing, the procedure that must be followed, and the applicable time requirements. No person or affiliate may be placed on the convicted vendor list without receiving an individual notice of intent from the Department. Section 287.133, F.S., does not apply to any activities regulated by the Florida Public Service Commission or to the purchase of goods or services made by any public entity from another government agency, from the nonprofit corporation organized under Chapter 946, F.S., or from any accredited nonprofit workshop certified under Sections 413.032-037, F.S.~~

(6) ~~Procurement Protests. The qualifications of persons to serve as hearing officers for hearings not involving disputed issues of material fact shall be:~~

(a) ~~A member in good standing of The Florida Bar; or~~

(b) ~~A person knowledgeable by virtue of practical experience of the procedures relating to soliciting and evaluating bids for commodities or proposals for services.~~

Specific Authority 120.57(3)(d), 287.042, 287.057(23)(d) FS. Law Implemented 120.57(3), 287.042, 287.017, 287.057, 287.133 FS. History—New 5-20-64, Revised 2-6-68, 5-20-71, Amended 7-31-75, 10-1-78, 12-11-79, 2-26-80, 8-6-81, 10-11-81, 11-10-81, 2-11-82, 8-10-82, 10-13-83, 11-12-84, 12-17-85, Formerly 13A-1.06, Amended 2-9-87, 11-3-88, 1-18-90, 4-10-91, 9-1-92, Formerly 13A-1.006, Amended 4-24-94, 1-9-95, 7-6-98, 1-2-00, 7-1-03, _____.

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE NO.: 60DD-2.001
 RULE TITLE: Purpose; Definitions; Policy; Applicability; Agency Security Programs; Roles and Responsibilities; Risk Management

NOTICE OF CHANGE

Notice is hereby given in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the proposed rules published in Vol. 30, No. 11, March 12, 2004 and Vol. 30, No. 21, May 21, 2004 issues of the Florida Administrative Weekly:

60DD-2.001 Purpose; Definitions; Policy; Applicability; Agency Security Programs; Roles and Responsibilities; Risk Management.

(1) Purpose.

(a) Rules 60DD-2.001-60DD-2.010, Florida Administrative Code, shall be known as the Florida Information Resource Security Policies and Standards.

(b) The purpose of the Florida Information Resource Security Policies and Standards is to:

1. Promulgate state policies regarding the security of data and information technology resources. Policies are broad principles underlying the state's information resource security program.

2. Define minimum-security standards for the protection of state information resources. Standards are required administrative procedures or management controls, utilizing current, open, non-proprietary or non-vendor specific technologies.

(c) Nothing in this rule chapter shall be construed to impair the public's access rights under Chapter 119, Florida Statutes, and Article I, Section 24 of the Florida Constitution.

(d) The policies and standards set forth in this rule chapter shall not affect the supervision, control, management or coordination of information technology and information technology personnel that any cabinet officer listed in s. 4, Art. IV, Florida Constitution, deems necessary for the exercise of his or her statutory or constitutional duties.

(2) Definitions.

(a) The following terms are defined:

1. Access – To approach, view, instruct, communicate with, store data in, retrieve data from, or otherwise make use of computers or information resources.

2. Access control – The enforcement of specified authorization rules based on positive identification of users and the systems or data they are permitted to access.

3. Access password – A password used to authorize access to data and distributed to all those who are authorized similar access.

4. Access Point – A station that transmits and receives data

5. Advanced Encryption Standard or "AES" – A Federal Information Processing Standard (FIPS 197) developed by NIST to succeed DES. Intended to specify an unclassified, publicly disclosed, symmetric encryption algorithm, available royalty-free worldwide, to protect electronic data.

6. Agency – Those entities described in Section 216.011(1)(qq), Florida Statutes.

7. Asymmetric encryption – A modern branch of cryptography (sometimes called "public-key cryptography") in which the algorithms employ a pair of keys (a public key and a private key) and use a different component of the pair for different steps of the algorithm.

8. Attack – An assault on system security that derives from an intelligent threat, i.e., an intelligent act that is a deliberate attempt (especially in the sense of a method or technique) to violate the security of a system.

9. Audit – See: Security Audit.

10. Authentication – The process that verifies the claimed identify or access eligibility of a station, originator, or individual as established by an identification process.

11. Authorization – A positive determination by the information resource/data owner or delegated custodian that a specific individual may access that information resource, or validation that a positively identified user has the need and the resource/data owner's permission to access the resource.

12. Availability – The security goal that generates the requirement for protection against intentional or accidental attempts to (1) perform unauthorized deletion of data or (2) otherwise causes a denial of service of system resources.

13. Back door – A hardware or software mechanism that (a) provides access to a system and its resources by other than the usual procedure, (b) was deliberately left in place by the system's designers or maintainers, and (c) usually is not publicly known.

14. Business continuity plan – See: Disaster-Preparedness Plan.

15. Best Practice – a technique or methodology that, through experience and research, has proven to reliably lead to a desired result. A commitment to using the best practices in any field is a commitment to using all the knowledge and technology at one's disposal to ensure success.

16. Block cipher – An encryption algorithm that breaks plaintext into fixed-size segments and uses the same key to transform each plaintext segment into a fixed-size segment of cipher-text.

17. Central Computer Room – A facility dedicated to housing significant computing resources, such as mainframe computers and libraries; commonly referred to as a data center.

18. Client – A system entity that requests and uses the service provided by another system entity called a "server".

19. Comprehensive Risk analysis – A process that systematically identifies valuable system resources and threats to those resources, quantifies loss exposures (i.e., loss potential) based on estimated frequencies and costs of occurrence, and recommends how to allocate resources to countermeasures so as to minimize total exposure. The analysis lists risks in order of cost and criticality, thereby determining where countermeasures should be applied first.

20. Computer Security – measures that implement and assure security in a computer system, particularly those that assure access control; usually understood to include functions, features and technical characteristics of computer hardware and software, especially operating systems.

21. Confidential information – Information that is excepted from disclosure requirements under the provisions of applicable state or federal law, e.g., the Florida Public Records Act.

22. Confidentiality – The state that exists when confidential information is held in confidence and available only to a limited set of authorized individuals pursuant to applicable law. Confidentiality is the security goal that generates the requirement for protection from intentional or accidental attempts to perform unauthorized data reads.

23. Contingency Plan – A plan for emergency response, backup operations, and post-disaster recovery in a system as part of a security program to ensure availability of critical system resources and facilitate continuity of operations in a crisis. See: Disaster-Preparedness Plan.

24. Continuity of Operations Plan (COOP) – See: Disaster-Preparedness Plan.

25. Control – Any action, device, policy, procedure, technique, or other measure that improves security.

26. Critical information resource – That resource determined by agency management to be essential to the agency's critical mission and functions, the loss of which would have an unacceptable impact.

27. Current – Most recent; not more than one year old.

28. Custodian of an information resource – Guardian or caretaker; the holder of data; the agent charged with the resource owner's requirements for processing, communications, protection controls, access controls, and output distribution for the resource; a person responsible for implementing owner-defined controls and access to an information source. The custodian is normally a provider of services.

29. Data – A representation of facts or concepts in an organized manner that may be stored, communicated, interpreted, or processed by people or automated means.

30. "Data Encryption Algorithm" or "DEA" – A symmetric block cipher, defined as part of the United States Government's Data Encryption Standard. DEA uses a 64-bit key, of which 56 bits are independently chosen and 8 are parity bits, and maps a 64-bit block into another 64-bit block.

31. "Data Encryption Standard" or "DES" – A United States Government standard (Federal Information Processing Standard 46-3) that specifies the data encryption algorithm and states policy for using the algorithm to protect data.

32. Data integrity – The condition existing when the data is unchanged from its source and has not been accidentally or maliciously modified, altered or destroyed.

33. Data security – The protection of data from disclosure, alteration, destruction, or loss that either is accidental or is intentional but unauthorized;

34. Data security administrator – The person charged with monitoring and implementing security controls and procedures for a system. Whereas each agency will have one Information Security Manager, agency management may designate a number of data security administrators.

35. Denial of service – The prevention of authorized access to a system resource or the delaying of system operations and functions.

36. "Disaster-Preparedness Plan" or "Continuity of Operations Plan" – An effort within individual departments and agencies pursuant to Section 252.365, Florida Statutes, to ensure the continued performance of minimum essential functions during a wide range of potential emergencies. An operational and tested information technology continuity plan should be in line with the overall agency disaster-preparedness plan and its related requirements and take into account such items as criticality classification, alternative procedures, back-up and recovery, systematic and regular testing and training, monitoring and escalation processes, internal and external organizational responsibilities, business continuity activation, fallback and resumption plans, risk management activities, assessment of single points of failure, and problem management. Provisions should be documented in the plan and reviewed to establish back-up and off-site rotation of non-critical application software and job execution language libraries, data files, and systems software to facilitate restoration following recovery of critical applications.

37. Encryption – Cryptographic transformation of data (called "plaintext") into a form (called "cipher-text") that conceals the data's original meaning to prevent it from being known or used. If the transformation is reversible, the corresponding reversal process is called "decryption", which is a transformation that restores encrypted data to its original state. Encryption and decryption involve a mathematical algorithm for transforming data. In addition to the data to be transformed, the algorithm has one or more inputs that are control parameters: (a) a key value that varies the transformation and, in some cases, (b) an initialization value that establishes the starting state of the algorithm.

38. End user – A system entity, usually a human individual, that makes use of system resources, primarily for application purposes as opposed to system management purposes. This includes State employees, contractors, vendors, third parties and volunteers in a part-time or fulltime capacity.

39. Environment – The aggregate of physical, organizational, and cultural circumstances, objects, or conditions surrounding an information resource.

40. Exposure – Vulnerability to loss resulting from accidental or intentional unauthorized acquisition, use, disclosure, modification, or destruction of information resources.

41. FIPS PUB (NR.) – Federal Information Processing Standard Publication (Nr.), a federal standard issued by the National Institute of Science and Technology (formerly the National Bureau of Standards).

42. Information Custodians – agency employees responsible for assisting Information Owners in classifying data and specifying and implementing the technical mechanisms required to enforce policy to a degree of certainty required, based on a comprehensive risk analysis that considers the probability of compromise and its potential operational impact.

43. Information Owners or “owner of an information resource” – agency managers who are responsible for specifying the security properties associated with the information their organization possesses and are responsible for the integrity and accuracy of that information. This includes what categories of users are allowed to read and write various items and what the operational impact of violations of policy would be.

44. Information resources – Data, automated applications, and information technology resources as defined in rule subparagraph 60DD-2.001(2)(a)47., Florida Administrative Code and Sections 282.0041(7) & 282.101, Florida Statutes.

45. Information Security Alert – A notice sent by state agencies pursuant to paragraph 60DD-2.006(6)(b), Florida Administrative Code, regarding potential information security abnormalities or threats.

46. Information Security Manager (ISM) – The person designated to administer the agency’s information resource security program and plans in accordance with Section 282.318(2)(a)1., Florida Statutes, and the agency’s internal and external point of contact for all information security matters.

47. “Information technology,” “information technology resources” “information resources” or “information technology system” include any transmission, emission, and reception of signs, signals, writings, images, and sounds of intelligence of any nature by wire, radio, optical, or other electromagnetic systems and includes all facilities and equipment owned, leased, or used by all agencies and political subdivisions of state government, and a full-service information-processing facility offering hardware, software, operations, integration, networking, and consulting services.

48. Information Technology Security Plan or Information Resource Security Plan – A written plan periodically reviewed that provides an overview of the security requirements of the information systems and describes the controls in place or planned for meeting those requirements. It covers critical data policies, backup, disaster recovery, and user policies. Its purpose is to protect the integrity, availability, and confidentiality of IT resources (i.e., data, information, applications, and systems) and to support the missions of the State of Florida. The Information Technology Security Plan also encompasses policies, procedures and guidelines together

with methodology employed for protection, e. g. firewalls, user authentication, data encryption, key management, digital certificates, intrusion detection systems (IDS), virus detection, and virtual private networks (VPN).

49. Information Technology Security Program or Information Resource Security Program – A coherent assembly of plans, project activities, and supporting resources contained within an administrative framework, whose purpose is to support the agency’s mission and establish controls to assure adequate security for all information processed, transmitted or stored in agency automated information systems, e.g., Information Technology Security Plans, contingency plans, security awareness and training and systems acquisition, disposal and auditing.

50. Integrity – The security goal that generates the requirement for protection against either intentional or accidental attempts to violate data integrity (the property that data has when it has not been altered in an unauthorized manner) or system integrity (the quality that a system has when it performs its intended function in an unimpaired manner, free from unauthorized manipulation).

51. Networks or networking – Networks provide design, programming, development and operational support for local area networks (“LANs”), wide area networks (“WANs”) and other networks. Networks support client/server applications, telephony support, high-speed or real-time audio and video support and may develop and/or utilize bridges, routers, gateways, and transport media.

52. NIST – National Institute of Standards and Technology.

53. Password – A protected word or string of characters which serves as authentication of a person’s identity (“personal password”), or which may be used to grant or deny access to private or shared data (“access password”).

54. Personal identifier or user identification code – A data item associated with a specific individual, that represents the identity of that individual and may be known by other individuals.

55. Personal password – A password that is known by only one person and is used to authenticate that person’s identity.

56. Platform – The foundation technology of a computer system. The hardware and systems software that together provide support for an application program and the services they support.

57. Provider – Third party such as contractor, vendor, or private organization providing products, services or support.

58. Public Records Act – Section 119.01, et seq., Florida Statutes.

59. Remote Access – The ability to connect to a computer from a remote location and exchange information or remotely operate the system.

60. Review – a formal or official examination of system records and activities that may be a separate agency prerogative or a part of a security audit.

61. Risk – The likelihood or probability that a loss of information resources or breach of security will occur.

62. Risk analysis – See: Comprehensive Risk Analysis.

63. Risk assessment – See: Comprehensive Risk Analysis.

64. Risk management – Decisions and subsequent actions designed to accept exposure or to reduce vulnerabilities by either mitigating the risks or applying cost effective controls.

65. Router Transport Service – the State-wide multi-protocol fully routed data communications service.

66. Security audit – an independent formal review and examination of system records and activities to (a) determine the adequacy of system controls, (b) ensure compliance with established security policy and operational procedures, (c) detect breaches in security, and (d) recommend any indicated changes in any of the foregoing.

67. SSID – A Service Set Identifier – A sequence of characters that uniquely names a wireless local area network.

68. Security controls – Hardware, software, programs, procedures, policies, and physical safeguards that are put in place to assure the availability, integrity and protection of information and the means of processing it.

69. Security incident or breach – An event which results in loss, unauthorized disclosure, unauthorized acquisition, unauthorized use, unauthorized modification, or unauthorized destruction of information resources whether accidental or deliberate.

70. Security officer – See Data Security Administrator.

71. Security Risk Analysis – The process of identifying and documenting vulnerabilities and applicable threats to information resources.

72. Security Risk Management – See Risk Management.

73. Security Standard – A set of practices and rules that specify or regulate how a system or organization provides security services to protect critical system resources.

74. Security Vulnerability Assessment – 1) An examination of the ability of a system or application, including current security procedures and controls, to withstand assault. A vulnerability assessment may be used to: a) identify weaknesses that could be exploited; and b) predict the effectiveness of additional security measures in protecting information resources from attack; 2) Systematic examination of a critical infrastructure, the interconnected systems on which it relies, its information, or product to determine the adequacy of security measures, identify security deficiencies, evaluate security alternatives, and verify the adequacy of such measures after implementation.

75. Sensitive Locations – Physical locations such as a data center, financial institution, network operations center or any location where critical, confidential or exempt information resources can be accessed, processed, stored, managed or maintained.

76. Sensitive software – Software exempt under Section 119.07(3)(o), Florida Statutes; those portions of data processing software, including the specifications and documentation, used to: collect, process, store and retrieve information which is exempt from the Public Records Act under Section 119.07, Florida Statutes; collect, process, store and retrieve financial management information of the agency, such as payroll and accounting records; or control and direct access authorizations and security measures for automated systems.

77. Server – A system entity that provides a service in response to requests from other system entities called “clients”.

78. Session – The time during which two computers maintain a connection and are usually engaged in transferring data or information.

79. Site Survey – A report on the physical, architectural, geographical and electrical limitations of the site and their effect on a wireless solution.

80. Special Trust or Position of Trust – A position in which an individual can view or alter confidential information, or is depended upon for continuity of information resource imperative to the operations of the agency and its mission.

81. Standard – See: Security Standard.

82. Storage or Computer Storage – The holding of data in an electromagnetic form for access by a computer processor; the process of storing information in computer memory or on a magnetic tape or disk.

83. Symmetric cryptography – A branch of cryptography involving algorithms that use the same key for two different steps of the algorithm (such as encryption and decryption, or signature creation and signature verification). Symmetric cryptography is sometimes called “secret-key cryptography” (versus public-key cryptography) because the entities that share the key, such as the originator and the recipient of the message, need to keep the key secret.

84. System control data – Data files such as programs, password files, security tables, authorization tables, etc., which, if not adequately protected, could permit unauthorized access to information resources.

85. Third Party – See Provider.

86. Triple Data Encryption Standard or “Triple DES” or “3DES” – A block cipher, based on DES, that transforms each 64-bit plaintext block by applying a data encryption algorithm three successive times, using either two or three different keys, for an effective key length of 112 or 168 bits.

87. Unauthorized disclosure – A circumstance or event whereby an entity gains access to data for which the entity is not authorized.

88. Universal Access Service – State sanctioned secure, single point of access to enterprise applications and information.

89. User – See: End User.

90. Virtual Private Network or “VPN” – A restricted-use, logical (i.e., artificial or simulated) computer network that is constructed from the system resources of a relatively public, physical (i.e., real) network (such as the Internet), often by using encryption (located at hosts or gateways), and often by tunneling links of the virtual network across the real network.

91. Vulnerability – A flaw or weakness in a system’s design, implementation, or operation and management that could be exploited to violate the system’s security.

92. Wi-Fi or Wireless Fidelity – The Wi-Fi Alliance certification standard signifying interoperability among 802.11b products.

93. Wireless – Wireless includes any data communication device (e.g., personal computers, cellular phones, PDAs, laptops, etc) that is connected to any network of the State of Florida. This includes any form of Wireless communications device capable of transmitting packet data.

(3) Policy. Information technology resources residing in the various agencies are strategic and vital assets held in trust and belonging to the people of Florida. It is the policy of the State of Florida that information system security ensure the confidentiality, integrity and availability of information. A loss of confidentiality is the unauthorized disclosure of information. A loss of integrity is the unauthorized modification or destruction of information. A loss of availability is the disruption of access to or use of information or an information system. Each agency shall develop, implement, and maintain an information technology security program to be reviewed by the State Technology Office as set forth in this rule. All documents regarding the development, implementation and maintenance of such programs shall be maintained by the agency’s Information Security Manager (ISM). Each agency shall develop, implement, and maintain an information resource security program that produces the following end products:

(a) Documented and distributed security policies that incorporate the following issues:

1. State information resources are valuable assets of the State of Florida and its citizens and must be protected from unauthorized modification, destruction, disclosure, whether accidental or intentional, or use. The acquisition and protection of such assets is a management responsibility.

2. Access requirements for state information resources must be documented and strictly enforced.

3. Responsibilities and roles of Information Security Managers and data security administrators must be clearly defined.

4. Information that, by law, is confidential or exempt must be protected from unauthorized disclosure, replication, use, destruction, acquisition, or modification.

5. Information resources that are essential to critical state functions must be protected from unauthorized disclosure, replication, use, destruction, acquisition, or modification.

6. All information resource custodians, users, providers, and his/her management must be informed of their respective responsibilities for information resource protection and recovery. These responsibilities must be clearly defined and documented.

7. All information resource custodians, users, providers, and his/her management must be informed of the consequences of non-compliance with his/her security responsibilities. These consequences must be clearly stated in writing.

8. Risks to information resources must be managed. The expense of implementing security prevention and recovery measures must be appropriate to the value and criticality of the assets being protected, considering value to both the state and potential intruders. Procedures for recording and responding to security breaches should be developed and disseminated to appropriate information resource custodians, users, providers, and their management, pursuant to each agency’s internal security procedures.

9. The integrity of data, its source, its destination, and processes applied to it must be assured. Data must change only in authorized, predictable, editable, and acceptable ways.

10. Information resource custodians, users, providers and their management must be made aware of their responsibilities in disaster-preparedness plans required to continue critical governmental services, to insure that information resources are available.

11. Security needs must be considered and addressed in all phases of development or acquisition of new information processing systems.

12. The Information Resource Security Program or Information Technology Security Program must be responsive and adaptable to changing environments, vulnerabilities and technologies affecting state information resources.

13. The state should support and uphold the legitimate proprietary interests of intellectual property owners in accordance with applicable federal and state law.

14. Providers shall comply with the Florida Information Resource Security Policies and Standards.

(b) Implementation and maintenance of a documented on-going training program for information resource security awareness. The training program will include initial security awareness training for all new information resource users, custodians, providers, and their management and on-going reinforcement covering agency security program components

and applicable security related job responsibilities. Each individual must be held accountable for his or her actions relating to information resources.

(c) A set of defined roles and responsibilities of Information Security Managers and data security administrators.

(d) Documentation of employees and providers acknowledgment and acceptance of agency's security policies, procedures, and responsibilities. An individual acknowledgement of accountability shall be included in such documentation.

(e) Clearly defined and current security responsibilities for each information resource user, custodian, provider, and his/her management.

(f) Documentation for managing access criteria for information resources.

(g) Current lists of information resource owners approved and maintained by the agency or secretary of the agency.

(h) Current lists of information resource users approved and maintained by the agency or secretary of the agency. Except as permitted under paragraph 60DD-2.004(1)(a), Florida Administrative Code, information resource users shall be individually identified.

(i) Current lists of information resource custodians approved and maintained by the agency or secretary of the agency.

(j) Current documented procedures for conducting background checks for positions of special trust and responsibility or positions in sensitive locations approved and maintained by the agency or secretary of the agency.

(k) An on going documented program of risk management, including risk analysis for all critical information resources, and periodic comprehensive risk analyses of all information resources. Comprehensive risk analyses shall be conducted after major changes in the software, procedures, environment, organization, or hardware.

(l) Current identification of all agency critical information resources approved and maintained by the agency's Information Security Manager (ISM). Agencies shall categorize all information and information systems in accordance with Federal Information Processing Standard 199, incorporated by reference at subsection 60DD-2.010(6), Florida Administrative Code, and Sections 119.07(3)(o) & 282.318, Florida Statutes.

(m) For all critical information resources, current documentation for implementing and maintaining auditable disaster-preparedness plans including: procedures for cross training of critical or unique skills; responsibilities and procedures for information resource custodians, owners, and users; procedures for maintaining current data on critical information resources (including hardware, software, data,

communications, configurations, staff, special forms, and supplies); and interdependencies between and among resources (both internal and external).

(n) Current documentation for executing and maintaining test scenarios for disaster-preparedness plans.

(4) Applicability.

(a) The information security policies and standards of this rule chapter apply to those entities described in Section 216.011(1)(qq), Florida Statutes. They apply to state automated information systems that access, process, or have custody of data. They apply to mainframe, minicomputer, distributed processing, and networking environments of the state. They apply equally to all levels of management and to all supervised personnel.

(b) State information security policies and standards of this rule chapter apply to information resources owned by others, such as political subdivisions of the state or agencies of the federal government, in those cases where the state has a contractual or fiduciary duty to protect the resources while in the custody of the state. In the event of a conflict, the more restrictive security measures apply.

(c) Exceptions.

1. Heads of executive agencies are authorized to exempt from the application of paragraph 60DD-2.004(2)(b), 60DD-2.004(4), 60DD-2.005(3)(a), 60DD-2.005(3)(b), or 60DD-2.005(4)(b), Florida Administrative Code, of this rule, information resources used for classroom or instructional purposes, provided the head of the agency has documented his or her acceptance of the risk of excluding these resources, and further provided that the information resources used for classroom or instructional purposes are not critical.

2. The head of an executive agency is authorized to exempt from the application of paragraph 60DD-2.004(2)(b), 60DD-2.004(4), 60DD-2.005(3)(a), 60DD-2.005(3)(b), or 60DD-2.005(4)(b), Florida Administrative Code, of this rule, stand-alone end user workstations, provided these workstations are not used to process, store, or transmit critical information resources.

(5)(a) Agency Security Program. The purpose of agency security program is to ensure that the security of the information resources of the agency is sufficient to reduce the risk of loss, modification or disclosure of those assets to an acceptable level. As identified in the agency's comprehensive risk analysis, the expense of security safeguards must be commensurate with the value of the assets being protected.

(b) Standard. Each agency shall develop an Information Resource Security Program that includes a documented and maintained current internal Information Resource Security Plan(s) approved by the agency Chief Information Office (CIO), and maintained by the agency's Information Security Manager (ISM). The agency security program and plan(s) shall include written internal policies and procedures for the protection of information resources, be an instrument

implementing the Florida Information Resource Security Policies and Standards, be applicable to all elements of the agency, and be signed by the agency head.

(6)(a) Responsibility; Security Audits. The State Technology Office, in consultation with each agency head, is responsible for the security of the each agency's information resources and for establishing information security requirements on an agency-wide basis. To assist the State Technology Office in carrying out security responsibilities, the duties and functions which management has determined to be appropriate for each agency need to be explicitly assigned. When necessary, based on the outcome of risk analysis, to ensure integrity, confidentiality and availability of state information and resources or to investigate possible security incidents to ensure conformance this rule chapter and Florida law, the State Technology Office shall conduct or contract with a third party to conduct a security audit on any system within the State of Florida networks to determine compliance with the Florida Information Resource Security Policies and Standards. Pursuant to Section 282.318(2)(a)5, Florida Statutes, the State Technology Office shall also ensure that each agency conducts periodic internal audits and evaluations of its Information Technology Security Plan.

(b) Standard. Pursuant to Section 282.318 (2)(a)1, Florida Statutes, the State Technology Office shall, in consultation with each agency head, appoint in writing an Information Security Manager (ISM) to administer the agency information resource security program and shall prescribe the duties and responsibilities of the function for each agency.

(7)(a) Owner, Custodian, and User Responsibilities. The major objective of information resource security is to provide cost-effective controls to ensure that information is not subject to unauthorized acquisition, use, modification, disclosure, or destruction. To achieve this objective, procedures that govern access to information resources must be in place. The effectiveness of access rules depends to a large extent on the correct identification of the owners, custodians, and users of information. Owners, custodians, and users of information resources shall be identified, documented, and their responsibilities defined.

(b) Standard. Owner responsibilities. All information resources shall be assigned an owner. In cases where information resources are aggregated for purposes of ownership, the aggregation shall be at a level that assures individual accountability. The owner or his or her designated representative(s) are responsible for and authorized to:

1. Approve, access and formally assign custody of an information resources asset;
2. Determine the asset's value;
3. Specify data control requirements and convey them to users and custodians;

4. Specify appropriate controls, based on risk assessment, to protect the state's information resources from unauthorized modification, deletion, or disclosure. Controls shall extend to information resources outsourced by the agency;

5. Confirm that controls are in place to ensure the accuracy, authenticity, and integrity of data;

6. Ensure compliance with applicable controls;

7. Assign custody of information resource assets and provide appropriate authority to implement security control and procedures;

8. Review access lists based on documented agency security risk management decisions.

(c) Standard. Custodian responsibilities. Custodians of information resources, including entities providing outsourced information resources services to state agencies or other providers, must:

1. Implement the controls specified by the owner(s);

2. Provide physical and procedural safeguards for the information resources;

3. Assist owners in evaluating the cost-effectiveness of controls and monitoring; and

4. Implement the monitoring techniques and procedures for detecting, reporting and investigating incidents.

(d) Standard. User responsibilities. Users of information resources shall comply with established controls.

(8) Risk Management. Risk analysis is a systematic process of evaluating vulnerabilities and threats to information resources. Risk analysis provides the basis for risk management; i.e., assumption of risks and potential losses, or selection of cost effective controls and safeguards to reduce risks to an acceptable level. The goal of risk analysis is to determine the probability of potential risks, in order to integrate financial objectives with security objectives.

(a) Standard. Agencies shall perform or update a comprehensive risk analysis of all critical information processing systems when major changes occur and as specified in subsection 60DD-2.001(3), Florida Administrative Code. Comprehensive risk analysis results shall be presented to the State Technology Office and to the owner of the information resource for subsequent risk management.

(b) Standard. Agencies shall implement appropriate security controls determined through comprehensive risk analysis to be cost effective in the reduction or elimination of identified risks to information resources. Any delegation by the agency head of authority for risk management decisions shall be documented.

(c) Standard. The State Technology Office shall evaluate potentially useful risk analysis programs and methodologies. Only those programs and methodologies approved by the State Technology Office shall be accepted as meeting the requirements for comprehensive risk analysis as specified in paragraph 60DD-2.001(8)(a), Florida Administrative Code.

(d) Standard. Agencies shall perform a risk analysis consistent with NIST Risk Management Guide for Information Technology Systems, Special Publication 800-30, incorporated by reference at subsection 60DD-2.010(7), Florida Administrative Code.

Specific Authority 282.102(2), (6), (16) FS. Laws Implemented 282.0041, 282.101, 282.318 FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-6.001 RULE TITLE: Definitions

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. 16, April 16, 2004, issue of the Florida Administrative Weekly. The changes to the proposed rule are as follows:

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.~~

~~(1)(2) “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.~~

~~(3) “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.~~

~~(2)(4) “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 reporter 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.

(5) through (6) renumbered (3) through (4) No change.

(7) through (10) renumbered (5) through (8) No change.

(9) “Reserves a right of direction and 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 job site 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.

(10) “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 job site 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.

(11) “Retains a right of direction 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 and 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 and control by the employee leasing company at the work site 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Employee Leasing Companies, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: 61G17-5.0043 RULE TITLE: Obligations of Continuing Education Providers

NOTICE OF CORRECTION

The above-proposed rule development was published in the June 4, 2004 issue of the Florida Administrative Weekly, Vol. 30, No. 23, on page 2303. The rule development was published as a Board of Engineers rule but should have said Board of

Professional Surveyors and Mappers. In addition, the contact person should have read as follows: John Knapp, Executive Director, Board of Professional Surveyors and Mappers, 1940 N. Monroe Street, Tallahassee, FL 32399-0750.

The foregoing changes do not affect the substance of the proposed rule.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

Division of Administration

RULE NOS.:	RULE TITLES:
63F-8.002	Definitions
63F-8.003	Development of New and Revised Policies

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 5, January 30, 2004 issue of the Florida Administrative Weekly.

63F-8.002 Definitions.

(1) Policy. For purposes of this rule, a “policy” is an operational requirement that applies to only the specified contracted delinquency service or program and that encompasses the general goals and acceptable procedures of the Department. Excluded from this rule are any policies which:

(a) Are issued as a result of a statutory mandate or an emergency and require implementation in a shorter time period than is described in this rule; or

(b) Apply only to grants administered by or through the Department.

(2) Contracted Delinquency Service or Program—A service or program for supervision, custody, education or treatment of delinquent youth operated under contract with the Department.

(3) Fiscal Impact Statement—Identifies the fiscal impact of the policy on the Department and contracted delinquency service or program providers. A Fiscal Impact Statement (Rule 63F Fiscal Impact Statement, Rev. 06/08/2004) will be prepared for each policy by the Department. The Rule 63F Fiscal Impact Statement is incorporated by reference herein and is available from the Policy Development Officer in the Department’s Office of Administration in Tallahassee.

Specific Authority 20.316, 985.405, 985.407 FS. Law Implemented 985.407 FS. History—New _____.

63F-8.003 Development of New and Revised Policies.

The Department shall:

(1) Post the proposed policy, the draft Fiscal Impact Statement, and identifying information of the Department’s contact person on the Department’s internet website (http://www.djj.state.fl.us/djj/djjservices/administration/policies_procedures/policyreview.shtml) (~~<http://www.djj.state.fl.us/reference/policiesandprocedures/policyreview.html>~~).

(2) Provide notice in the Florida Administrative Weekly advising the public that a proposed policy has been posted, that briefly describes the proposed policy and identifies the Department’s internet website. ~~The advertisement of this notice begins is the beginning of the first public comment period of 20 working days.~~

~~(3) Prepare a written response to public comments submitted to the contact person within the first comment period. All comments received in this period and the Department’s written responses will be posted on the Department’s website.~~

~~(3)(4) Analyze comments received during the first comment period and prepare a written response to public comments submitted to the contact person in that period ~~second draft of the proposed policy and Fiscal Impact Statement.~~~~

~~(4)(5) Prepare a second draft of the proposed policy and Fiscal Impact Statement. Post the second draft of the revised proposed policy, the response of the Department to comments received and the Fiscal Impact Statement, and identifying information of the Department’s contact person on the Department’s internet website.~~

~~(6) Provide notice in the Florida Administrative Weekly advising the public that a revised proposed policy has been posted, that briefly describes the revised proposed policy and identifies the Department’s website. The advertisement of this notice is the beginning of the second comment period of 20 working days.~~

~~(7) Prepare a written response to all public comments submitted to the contact person within the second review period. All comments received in this period and the Department’s written responses will be posted on the Department’s website.~~

~~(8) Analyze comments received during the second comment period and prepare a third draft of the proposed policy and Fiscal Impact Statement.~~

~~(5)(9) Post the policy on the Department’s internet website upon approval by the Secretary of the Department.~~

Specific Authority 20.316, 985.405, 985.407 FS. Law Implemented 985.407 FS. History—New _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Clyde Benedix, Policy Development Officer, Office of Administration, Department of Juvenile Justice, 2737 Centerview Drive, Ste. 104, Tallahassee, FL 32399, (850)921-3048.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-3.004
RULE TITLE: Initial Active Status License Fee
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. 6, February 6, 2004, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

The rule shall now read as follows:

The initial active status license fee shall be two hundred dollars (\$200.00). If the applicant is initially licensed in the second year of the biennium, the licensure fee shall be one hundred dollars (\$100.00). If an applicant is initially licensed during the biennial licensure renewal period, the applicant shall pay the initial licensure fee, unlicensed activity fee plus the application fee, and the license issued shall be valid for the next biennium.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela E. King, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399.

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

RULE NOS.: 68C-22.013
68C-22.014
68C-22.016
68C-22.022
RULE TITLES: Hillsborough County Zones
Manatee County Zones
Pinellas County Zones
Hillsborough County – Big Bend Zones Established

NOTICE OF ADDITIONAL INFORMATION

The Florida Fish and Wildlife Conservation Commission announces the on-line availability of the Notice of Proposed Rulemaking for the above-cited rules, which was published in the Florida Administrative Weekly on May 28, 2004 (Vol. 30, No. 22). The notice, including color maps of the proposed zones, can be found at <http://myfwc.org/psm/manatee/rules.htm>.

**Section IV
Emergency Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Gasoline Silver Corrosion Standard
RULE NO.: 5FER04-2

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY OR WELFARE: Despite meeting internationally recognized gasoline standards adopted by the Department in paragraph 5F-2.001(1)(a), Florida Administrative Code, gasoline was recently delivered into Florida that resulted in damage to fuel gauges in certain motor vehicles. To meet lower sulfur levels as mandated by environmental regulations, gasoline was refined in a manner that met overall sulfur levels but apparently increased the levels of elemental sulfur, a form of sulfur particularly corrosive to some metals. The affected gasoline causes corrosion of the fuel gauge silver sensors in some motor vehicle tanks. When the silver sensors are corroded, a fuel gauge will continually indicate a full tank, and the vehicle’s operator will be unaware of the fuel level in the vehicle. Subsequent repairs typically range between \$400 and \$800 per automobile. The Department adopts standards for petroleum products from the American Society for Testing and Materials (ASTM). The gasoline standard adopted by the Department, ASTM D 4814, “Standard Specification for Automotive Spark-Ignition Engine Fuel,” has no specification or test method for silver corrosion. Further, no immediate remedy to reduce the exposure risk of the fuel gauge silver sensor is forthcoming by the automotive manufacturers and/or gasoline refiners. In the absence of such a remedy, the Department, as an interim measure, is implementing an emergency rule that will provide a silver corrosion standard and associated test method as a guideline for gasoline refiners in addition to the ASTM D 4814 specification for gasoline. The standard will remain in effect until a satisfactory remedy to minimize the risk of damage to fuel gauge silver sensors is developed and agreed upon by the automotive manufacturers and/or gasoline refiners.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: Consultation with automotive manufacturers and gasoline refiners has resulted in the recommendation of the proposed silver corrosion standard and test method as a suitable approach to avoid costly damages to the motoring public in Florida until a standard and test method can be established by the ASTM.

SUMMARY OF THE RULE: The proposed rule adopts Energy Institute test method IP 227/99 “Determination of Corrosiveness to Silver of Aviation Turbine Fuels – Silver Strip Method” as the prescribed method for testing the corrosiveness of gasoline to silver compounds. Gasoline to be sold in Florida must have a silver strip classification of 0 or 1 as designated in Table 1 of IP 227/99.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

SFER04-2 Gasoline Silver Corrosion Standard.

(1) In addition to standards established in subsection 5F-2.001(1), Florida Administrative Code, gasoline sold or offered for sale in Florida must meet silver strip classification 0 or 1 as designated in Table 1 of the Energy Institute standard IP 227/99 "Determination of Corrosiveness to Silver of Aviation Turbine Fuel – Silver Strip Method."

(2) Upon request by the Department, petroleum companies shall provide documentation that a gasoline product meets the silver strip classification of 0 or 1 as designated in Table 1 of the Energy Institute standard IP 227/99.

(3) Copies of IP 227/99 can be obtained at The Publications Department, Energy Institute, 61 New Cavendish Street, London, W1G 7AR, United Kingdom.

Specific Authority 525.14 FS. Law Implemented 525.037 FS. History—New 6-7-04.

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

EFFECTIVE DATE: June 7, 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 ENVIRONMENTAL PROTECTION

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

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Jetty East Condominium Association, Inc., filed June 2, 2004, in Docket No. 040525-EU, seeking an emergency variance or waiver from paragraph 25-6.049(5)(a), Florida Administrative Code. The rule provides that individual electric metering by the utility company shall be required for each separate occupancy unit of new condominiums for which construction commenced after January 1, 1981. Comments on the petition should be filed with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. A copy of the petition can be obtained from the Division of the Commission Clerk and Administrative Services. For additional information, please contact Jennifer Brubaker, Office of the General Counsel, at the above address or telephone (850)413-6228.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on June 2, 2004, the South Florida Water Management District (SFWMD) received a petition for waiver from Four Winds Hounds (FWH) for the use of SFWMD lands known as the Hickory Hammock Wildlife Management Area (Hickory Hammock) and the Starvation Slough sub unit of the Kissimmee River Management Area (Starvation Slough). FWH would like to engage in an equestrian laid scent chasing activity in these areas. This is a petition for a temporary waiver for the following Sundays: Sept. 19, 2004, Oct. 10, 2004, Oct. 24, 2004, Jan. 9, 2005, Jan. 30, 2005, Feb. 13, 2005, Feb. 27, 2005, March 13, 2005, and March 27, 2005 during the hours of 7 am until 12 pm. This temporary waiver would allow FWH to use horses off of designated trails and to use dogs, other than the breeds specified during small game season, at Starvation Slough and Hickory Hammock, if surface water conditions allow. The petition seeks relief from subsections 40E-7.520(5), 40E-7.526(2) and 40E-7.527(1), Fla. Admin. Code, "Public Use Guide", which prohibit equestrian activities off of designated equestrian trails and named or numbered roads and the use of dogs, other than those breeds specified during the small game season, as applied to Hickory Hammock and Starvation Slough. A copy of the petition may be obtained from Charron A. Follins at (561)682-6293 or e-mail at cfollins@sfwmd.gov. The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, Attn.: Charron Follins, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on May 17, 2004 the Division of Hotels and Restaurants received a Petition for Variance for paragraph 61C-4.010(7)(b), Florida Administrative Code, from Amore Pizza and Pasta located in Pembroke Pines. They are requesting a Routine Variance.

A copy of the Petition can be obtained from:

Xenia Bailey

Division of Hotels and Restaurants

1940 North Monroe Street

Tallahassee, Florida 32399-1013

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

The Bureau of Elevator Safety hereby gives notice that on June 1, 2004 it issued an Order Granting Variance Request in response to a petition filed on March 2, 2004, by Kenin Lynes of Otis Elevator regarding Harborview Grande Condominium, seeking a waiver from Rules 100.1a (2), 100.1a (3), 101.6, 212.1, and 212.9a, of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940, North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on June 1, 2004 it issued an Order Granting Variance Request in response to a petition filed on March 2, 2004, by James Childers of Otis Elevator regarding Whole Foods Market Centre, seeking a waiver from Rules 100.1a (2), 100.1a (3), 101.6, 212.1, and 212.9a, of ASME A17.1, 1996 Edition with 1997 Addenda, as adopted by Rule 61C-5.001, Florida Administrative Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that it has received a Petition, filed on June 3, 2004, from Enrique Acosta, seeking a waiver or variance of subsection 64B5-2.0146(2), Florida Administrative Code, with respect to the requirement the applicant successfully complete remediation to the level of a graduating senior and obtain a letter from the dean of the dental school. The Board will consider the Petition on July 23, 2004, at 8:00 am., or shortly thereafter, at the Wyndham Westshore, 4860 West Kennedy Boulevard, Tampa, Florida 33609, (813)286-4400.

Comments on this Petition should be filed with the Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the Petition, contact: Sue Foster, Executive Director, Board of Dentistry, at above address or telephone (850)245-4474.

The Board of Dentistry hereby gives notice that it has received a Petition, filed on June 2, 2004, from Bertram Ivan Moldauer, D.D.S., seeking a waiver or variance of subsection 64B5-2.0146(2), Florida Administrative Code, with respect to the requirement the applicant successfully complete remediation to the level of a graduating senior and obtain a letter from the dean of the dental school. The Board will consider the Petition on July 23, 2004, at 8:00 am., or shortly thereafter, at the Wyndham Westshore, 4860 West Kennedy Boulevard, Tampa, Florida 33609, (813)286-4400.

Comments on this Petition should be filed with the Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the Petition, contact: Sue Foster, Executive Director, Board of Dentistry, at above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN that the Board of Massage Therapy issued an Order on June 1, 2004, in response to a petition for a waiver filed by Sandra Weinrib. Petitioner sought a waiver of subsection 64B7-31.001(2) F.A.C., with respect to colonic irrigation training requirements.

At its regularly scheduled meeting held on April 23, 2004, the Board found the Petitioner met the requirements of Section 120.542(2), F.S., and thereby voted to GRANT Petitioner's request for a waiver.

For a copy of the petition and order, contact: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Tallahassee, Florida 32399.

The Board of Medicine hereby gives notice that it has received a petition filed on May 21, 2004, by Mya S. Kyaw, M.D., seeking a waiver from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE. Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry G. McPherson, Jr., Executive Director, Board of Medicine, at above address or telephone (850)245-4131.

The Department of Health hereby gives notice that it has received a petition, filed on June 3, 2004, from Rosemarie B. Gilbert, Ed.D., seeking a variance of paragraph 64B21-500.005(3)(a), Florida Administrative Code, with respect to the background and training of the supervisor of a school psychology applicant.

Comments on this petition should be filed with the office of School Psychology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399.

For a copy of the petition, contact: Kaye Howerton, Executive Director, Department of Health, School Psychology, 4052 Bald Cypress Way, Bin #C05qwDepartment of Health.

NOTICE IS HEREBY GIVEN that on March 8, 2004, the Department of Health received a Petition for Permanent Waiver from subsections 64E-15.004(5) and 64E-15.005(2), Florida Administrative Code, from Danny Tate on behalf of the Blueberry Country Estates. That rule requires recreational vehicle parks to provide at least one easily accessible sanitary dump station for the use of occupants or patrons and establishes minimum requirements for toilets, hand washing facilities and showers for males and females. The Blueberry Country Estates is a 33-lot mobile home and recreational vehicle park located in Crestview, Florida.

Comments on this Petition should be filed with Sam Power, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition may be obtained from Richard McNelis, Office of General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, or by calling (850)245-4028.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida **Division of Historical Resources** announces a meeting to which all persons are invited.

DATE AND TIME: Monday, June 28, 2004, 1:00 p.m. – 3:00 p.m.

PLACE: Holiday Inn – West, Grenada Room, 7417 Newberry Road, Gainesville, FL 32605

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 or log onto our website at <http://www.flheritage.com/bar/finds/>

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces a meeting of the Florida Agriculture Center & Horse Park Authority, Inc.

DATE AND TIME: Monday, June 28, 2004, 10:00 a.m.

PLACE: Ocala/Marion County Chamber of Commerce, 110 East Silver Springs Blvd., Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Florida Agriculture Center & Horse Park Authority, Inc.

For directions or if you need special accomendation, please call (352)629-8051.

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the pesticide review council to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 2004, 9:00 a.m.

PLACE: Florida Department of Agriculture And Consumer Services, Division of Plant Industry Auditorium, 1911 Southwest 34th Street, Gainesville, Florida 32608-1201

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the council during which there will be a review of Pertinent Pesticide Issues Impacting Human Health and Environment.

A copy of the agenda may be obtained by contacting: Bureau of Pesticides, 3125 Conner Boulevard, Mail L-29, Tallahassee, Florida 32399-1650

DEPARTMENT OF EDUCATION

The **Florida Atlantic Research and Development Authority** will hold its scheduled board Meeting to which all interested parties are invited.

DATE AND TIME: June 30, 2004, 8:00 a.m.

PLACE: The Research Conference Room, FAU Research and Graduate Studies, 3731 FAU Blvd, Boca Raton FL 33431
Agenda items will include Annual Audit review, and other items of regular business.

Agendas and questions are available from: Scott Ellington, Executive Director, (561)416-6092, scott@research-park.org.

DEPARTMENT OF COMMUNITY AFFAIRS

The **State Emergency Response Commission (SERC)** for Hazardous Materials announces a meeting of the Training Task Force to which all persons are invited.

DATE AND TIME: June 30, 2004, 10:00 a.m.

PLACE: Department of Environmental Protection, 3800 Commonwealth Boulevard, Marjorie and Archie Carr Building, Room 170M, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the ongoing work of the District Response Teams Subcommittee to the Training Task Force and other hazardous materials training issues.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Education and Training Section at (850)413-9899 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Education and Training Section using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you 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 may be obtained by writing to the Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Capital Circle Office

Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or by telephoning (850)413-9899.

The **State Emergency Response Commission** for Hazardous Materials announces a meeting of all Local Emergency Planning Committee chairpersons and staff contacts to which all persons are invited.

DATE AND TIME: June 30, 2004, 1:30 p.m.

PLACE: Department of Environmental Protection, 3800 Commonwealth Boulevard, Marjorie and Archie Carr Building, Room 170M, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committees in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section at (850)410-1271 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing to the Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or by telephoning (850)413-9970.

The **State Emergency Response Commission** for Hazardous Materials announces a meeting to which all persons are invited.

DATE AND TIME: July 1, 2004, 10:00 a.m.

PLACE: Department of Environmental Protection, 3800 Commonwealth Boulevard, Marjorie and Archie Carr Building, Room 170M, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Compliance Planning Section at (850)410-1271 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Compliance Planning Section

using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). If a person decides to appeal any decision, with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by writing to the Department of Community Affairs, State Emergency Response Commission for Hazardous Materials, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or by telephoning (850)413-9970.

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 7, 2004, 10:00 a.m.

PLACE: The Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Criminal and Juvenile Justice Information Systems Council will conduct its regular meeting to discuss state and national issues in areas of criminal and juvenile justice information and information systems.

Individuals with a disability as defined by the Americans with Disabilities Act (ADA) may call Government Analyst Wayne Quinsey or Christopher Ferris at (850)410-7126 about accommodations that would enable attendance.

A copy of the agenda may be obtained by writing: Government Analysts Wayne Quinsey or Christopher Ferris, Florida Department of Law Enforcement, Division of Criminal Justice Information Systems, Strategic Planning and Systems Integrity, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-7126, SUNCOM 210-7126.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces the final public meeting of the Property Tax Administration Task Force to which all interested persons are invited.

DATE AND TIME: Monday, June 28, 2004, 9:30 a.m. – 11:30 a.m.

PLACE: Carlton Building, 501 S. Calhoun Street, Room 118, Tallahassee, Florida

This meeting will be available to members of the Property Tax Administration Task Force as a conference call meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the 18th and final meeting of the Property Tax Administration Task Force. This is the 13th meeting of the Task Force as authorized by Chapter 2001-137, L.O.F. The Task Force members will be meeting with Department of Revenue Staff to review and approve its final report of the past

18 meetings of the Task Force. These meetings have involved proposed enhancements to the tax roll evaluation process, value adjustment board process, tangible personal property evaluation, and other administrative and legislative issues.

A copy of the agenda may be obtained by writing to: Director, Property Tax Administration Program, P. O. Box 3000, Tallahassee, Florida 32315-3000, or by calling Theda Eaton or Kathy Henley at (850)488-3338, or accessing the Department's web site at <http://sun6.dms.state.fl.us/dor/property/ptaac>.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this proceeding is asked to advise the Department at least 48 hours before such proceeding by contacting Kathy Henley or Theda Eaton at (850)488-3338. Any person who is hearing or speech-impaired should contact the Department using the Florida Relay Service, which can be reached at (800)955-8770 (voice) and (800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: July 13, 2004, 7:00 p.m.

PLACE: Florida Department of Transportation's Urban Office, 2250 Irene Street, Jacksonville, Duval County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number 209265-5, Federal-Aid Number 4807026P, otherwise known as State Road 10/US 90 (Beaver Street), from McDuff Avenue to Stockton Street, Jacksonville, Duval County, Florida. The proposed improvements are to reconstruct State Road 10/US 90 (Beaver Street) from McDuff Avenue to Stockton Street to an urban four lane non-divided roadway with 11 foot travel lanes and sidewalks on both sides of State Road 10 and standard street lighting. The proposed roadway improvements will be provided within the existing right of way. However, additional right of way will be needed for signalization upgrades at some locations and for retention/detention ponds.

This project is being developed in compliance with Titles VI and VIII of the Civil Rights Act. Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call telephone number (386)758-3700 or (800)749-2967. Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing to: Mr. Aage Schroder, District Secretary, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, Lake City, Florida 32025.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Citrus Harvesting Research Advisory Council to which all persons are invited.

DATE AND TIME: Tuesday, June 29, 2004, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 E. Memorial Blvd., Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review progress of research in relation to the Harvesting Program and to finalize budget for FY 2004-05.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone at (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 7, 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 of may be obtained by writing to the Florida Parole Commission, 2601 Blairstone 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

NOTICE IS HEREBY GIVEN that the Florida **Public Service Commission** will conduct a staff workshop in Docket No. 000121A-TP on:

DATE AND TIME: July 1, 2004, 10:00 a.m. (EST),

PLACE: Room 234, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the prospective scope and methodology for completing an audit of BellSouth's Performance Assessment Plan including the Service Quality Measurement Plan for performance measurement and the Self-Effectuating Enforcement Mechanism Administrative Plan for penalty payments. Parties are encouraged to address audit scope and audit methodology separately.

All parties intending to present comments regarding the audit scope and methodology or make a presentation must file those comments and presentations with the Commission's Division: Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, by June 25, 2004.

The presentations should include an outline, the approximate amount of time needed for the presentation, and the presenter's name. Please send electronic copies of comments and presentations to Patricia Christensen at pchriste@psc.state.fl.us and Lisa Harvey at lsharvey@psc.state.fl.us. Participants unable to attend in person can join the meeting through audio conference by dialing SUNCOM 292-2904 or (850)922-2904.

Any person requiring special accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the workshop. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at (800)955-8771 (TDD). For additional information, please contact Patricia Christensen, Office of General Counsel, at the above address or telephone (850)413-6220.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: July 6, 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 at (850)413-6770 or writing to the 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 at (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, which can be reached at (800)955-8771 (TDD) or (800)955-8770 (VOICE).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: July 6, 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 the 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 at (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, which can be reached at (800)955-8771 (TDD) or (800)955-8770 (VOICE).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces informal customer meetings in the following docket, to which all interested persons are invited.

DOCKET NO. 040216-GU – Application for a rate increase by Florida Public Utilities Company.

DATE AND TIME: July 7, 2004, 6:00 p.m.

PLACE: Florida Department of Environmental Protection, Southeast District Office, 400 N. Congress Avenue, Suite 200, West Palm Beach, FL 33401

DATE AND TIME: July 8, 2004, 6:00 p.m.

PLACE: City of Deltona, City Commission Chambers, City Hall, 2345 Providence Blvd., Deltona, FL 32725

The meetings will begin as scheduled and will continue until all witnesses have been heard. If no witnesses are present, the meetings are adjourned. All persons desiring to comment on the utility's requested increase are urged to appear at the beginning of the meeting. One or more Commissioners may be present at the customer meetings.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit members of the public to comment regarding the request for rate increase by Florida Public Utilities Company. At the meeting, customers may be heard on any and all issues in the case relating to this request. Any person requiring some accommodation at this hearing because of a physical impairment should contact the Division of the Commission Clerk and Administrative Services at (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, which can be reached at: (800)955-8771 (TDD).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Statewide Drug Policy Advisory Council** will meet on:

DATE AND TIME: Friday, July 16, 2004, 10:00 a.m. until 2:00 p.m.

PLACE: Capitol Room, PL-03, 400 South Monroe Street, Tallahassee, Florida 32399-0001.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is for council members to discuss current drug policy issues in the areas of prevention, treatment, and law enforcement and provide advice to the state for future action. The meeting is open to the public.

The **Office of Film & Entertainment and the Florida Film Advisory Council** will convene in a quarterly meeting. This is a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 21, 2004, 1:00 p.m.
 PLACE: The Hyatt, 9300 Airport Blvd., Orlando, FL 32837, (407)825-1234
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general administrative matters of the Advisory Council. A copy of the agenda may be obtained by writing to Niki Christopher, Production Coordinator, the Office of Film & Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)410-4765.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

The **Florida Aerospace Finance Corporation (FAFC)** announces a Board of Director's meeting and teleconference to which the public is invited.

DATE AND TIME: June 30, 2004, 10:00 a.m. – 12:00 noon
 PLACE: Office of Enterprise Florida, Inc., Suite 1300, 390 North Orange Avenue, Orlando, FL. To attend via telephone the number to call is: (866)249-5325, participant code 393255.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review general board business, ratifications of agreements, financings, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact Ms. Judy Blanchard at (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.

REGIONAL PLANNING COUNCILS

The District I Local **Emergency Planning Committee (LEPC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 21, 2004, 10:00 a.m. CDT

PLACE: Escambia County Utilities Authority, 9255 Sturdevant Avenue, Pensacola, FL 32514

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the District I Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: The Executive Director, West Florida Regional Planning Council, P. O. Box 9759, Pensacola, Florida 32513-9759.

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, July 1, 2004, 9:00 a.m.
 PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters. A copy of the agenda may be obtained by contacting the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council Planning and Growth Management Policy Committee** announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, July 1, 2004, 8:00 a.m.
 PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues. A copy of the agenda may be obtained by contacting the 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, July 1, 2004, 9:00 a.m.
 PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending transportation and economic development issues.

A copy of the agenda may be obtained by contacting the 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, July 1, 2004, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting

A copy of the agenda may be obtained by contacting the 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 at (904)279-0880, extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, (800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council Ad Hoc Committee** on Policies, Priorities & Procedures announces the following public meeting to which all persons are invited:

DATE AND TIME: Wednesday, July 21, 2004, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is established to examine how the Council can transform and conduct business to help meet new challenges.

A copy of the Ad Hoc Committee Charge agenda may be obtained by contacting the 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 **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 12, 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 Dania Beach, Hialeah and Miami-Dade County; 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 the South Florida Regional Planning Council at (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 at (954)985-4416 at least five calendar days prior to the meeting.

WATER MANAGEMENT DISTRICTS

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 17, 2004, 7:00 p.m.

PLACE: The Best Western Naples Plaza Hotel, 6400 Dudley Drive, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Present and take public comments on the integrated draft Project Implementation Report (PIR) and Environmental Impact Statement (EIS) for the Southern Golden Gate Estates (Picayune Strand) Restoration Project.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, at (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Janet Starnes, in the Ecosystem Restoration Department, Phone Number (239)338-2929, Lower West Coast Service Center, 2301 McGregor Boulevard, Fort Myers, FL 33901.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, June 23, 2004 from 10:00 a.m. until completed.

PLACE: South Florida Water Management District, Lower West Coast Service Center, 2301 McGregor Boulevard, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the Lower West Coast Water Supply Plan.

A copy of the agenda may be obtained by writing to the South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, at (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Director, Governing Board and Executive Services, at (561)686-6371. District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130 West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATES AND TIME: Thursday, June 24, 2004; Wednesday, July 28, 2004; Wednesday, August 18, 2004, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD Headquarters, 3301 Gun Club Road, B1 Auditorium, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Issues Workshop on Lower East Coast Regional Water Supply Plan.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/gover/wrac/agendas.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, at (561)682-6297, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Paula Moree, (561)682-6447, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: June 25, 2004, 9:00 a.m.

PLACE: Miami-Dade County Emergency Operations Center, 9300 Northwest 41st Street, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Biscayne Bay Minimum Flows and Levels Issues Workshop.

A copy of the agenda may be obtained at: (1) District Website (www.sfwmd.gov/gover/wrac/agendas.html) or (2) by writing to the South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, at (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Paula Moree, (561)682-6447, District Headquarters, 3301 Gun Club Road, Mail Stop Code 6115, West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Monday, June 28, 2004, 2:00 p.m.

PLACE: Town of Jupiter Community Center, 210 Military Trail, Jupiter, Florida 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Loxahatchee River Management Coordinating Council.

A copy of the agenda may be obtained by writing: South Florida Water Management District, Mail Stop 6880, 210 Atlanta Avenue, Stuart, Florida 34994.

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, at (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Gardenia Banks Long, in the Martin/St. Lucie Service Center, Phone Number (772)223-2600 x3617, 210 Atlanta Avenue, Stuart, FL 34994.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, July 7, 2004 from 9:00 a.m. until completed.

PLACE: Sheraton Ft. Lauderdale Airport Hotel, 1825 Griffin Road, Dania, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting to discuss Procurement matters and Land Resource and Regulatory matters.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 6115, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, at (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Director, Governing Board and Executive Services, at (561)682-6371. District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 8, 2004, 8:30 a.m.

PLACE: SFWMD Headquarters, 3301 Gun Club Road, B1 Auditorium, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission Meeting – Regular Monthly Meeting.

A copy of the agenda may be obtained at: (1) District Website (<http://www.sfwmd.gov/gover/wrac/main.html>) or (2) by writing to the Staff Business Operations Analyst at South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Persons with disabilities who need assistance may contact the District Clerk, at (561)682-6297 at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Paula Moree, (561)682-6447, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Commission Meeting to which all persons are invited.

DATE AND TIME: Monday, June 28, 2004, 5:30 p.m. – until completion

PLACE: 2740 Centerview Drive, Suite 1A, Rhyne Building, Tallahassee, FL; (850)410-5700, Conference Call (850)921-5230, SunCom 291-5230.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss regular Commission business.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or (800)983-2435 or (800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

The Florida **Commission for the Transportation Disadvantaged** announces a Medicaid Committee Meeting to which all persons are invited.

DATE AND TIME: Friday, June 25, 2004, 1:00 p.m. – until completion

PLACE: 2740 Centerview Drive, Suite 1A, Rhyne Building, Tallahassee, FL (850)410-5700, Conference Call (850)921-6623, SunCom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Medicaid non-emergency transportation issues.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49,

Tallahassee, FL 32399-0450, (850)410-5700 or (800)983-2435 or (800)648-6084 (TDD only). The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following meeting to which the public is invited.

DATE AND TIME: Wednesday, July 7, 2004, 10:00 a.m.

PLACE: Sarasota County Administration Center, 1660 Ringling Boulevard, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240. Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based. Persons with disabilities who need assistance may call (941)316-1776 at least two business days in advance to make appropriate arrangements.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** will hold a conference call with the signers of the Triad Resolution and other interested parties.

DATE AND TIME: Monday, July 12, 2004, 11:00 a.m.

PLACE: Call in number: (850)921-6623 or suncom 291-6623

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss matters related to the Statewide Triad.

A copy of the agenda may be obtained by contacting: Ann Getman (850)414-2072 or suncom 997-2072

DEPARTMENT OF MANAGEMENT SERVICES

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 12, 2004, 8:00 a.m. – 3:00 p.m.

PLACE: City Hall, 180 Governmental Center, Hagler/Mason Room, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting: Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301 or call (850)488-7082.

The **Florida Black Business Investment Board, Inc.** (FBBIB) and the Florida Black Business Investment Board's Recertification Task Force (RTF) will hold their board and committee meeting to which all interested persons are invited.

DATES AND TIMES: Tuesday, June 15, 2004, 10:30 a.m. – 12:30 p.m.; Tuesday June 29, 2004, 10:00 a.m. – 12:00 noon

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Board's operations, to identify areas for future Board priorities, loan, audit, and development committees, discussion/review/approval of related issues, 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 Investment Board, Inc., 1711 South Gadsden Street, Tallahassee, FL 32301, Telephone (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 this meeting, please notify the FBBIB office at (850)487-4850 at least seven (7) days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco** hereby gives notice in accordance with Section 120.54(2)(c), F.S., that a rule development workshop hearing will be held:

DATE AND TIME: July 8, 2004, 10:00 a.m. – 1:00 p.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite 901-N, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regarding the Notice(s) of Proposed Rulemaking Chapter 61A-7, F.A.C., to update the Florida Clean Indoor Air Act and stand-alone Bar Smoking Designations 61A-7.006, 7.007, 7.008, F.A.C., published May 7, 2004, in Vol. 30, No. 19, and 7.009 published May 28, 2004, in Vol. 30, No. 22 of the Florida Administrative Weekly

A copy of the agenda may be obtained by writing: Sarah Wachman, Agency Clerk, Office of General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399-1020, telephone: (850)921-0342.

The Division of Alcoholic Beverages and Tobacco does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation provided for in the American With Disability Act should contact Michael

Martinez, Deputy General Counsel, Office of General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399-1020, telephone: (850)414-8125.

The **Barbers' Board** hereby gives notice that it will hold workshops for possible legislative development of the following:

1. Developing Barber apprenticeship legislation;
2. Developing Barber school legislation;
3. Developing Barber instructors legislation.

The workshops will be conducted as follows:

DATE AND TIME: Sunday, August 1, 2004, Workshop 1 – 2:00 p.m. (EST); Workshops 2 and 3 will continue consecutively until completed

PLACE: Florida Mall Hotel, a/k/a Adams Mark Hotel, 1500 Sand Lake Road, Orlando, Florida 32809

The person to be contacted regarding the workshop topics is: Julie Malone, Executive Director, Barbers' Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the workshop being held. If you are hearing or speech impaired please contact the Board office using the Florida Dual Party Relay System which can be reached at (800)955-8770 (voice) and (800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIME: June 22, 2004, Beginning at approximately 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 to 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, or by phone at (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 **Department of Business and Professional Regulation** announces a public meeting of the Florida **Board of Cosmetology** to which all persons are invited to participate.

DATE AND TIME: Sunday, July 25, 2004, 9:00 a.m.

PLACE: Marriott Tampa Westshore, 1001 North Westshore Boulevard, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular board business

A copy of the agenda may be obtained by writing to the Florida Board of Cosmetology at 1940 North Monroe Street, Suite #60, Tallahassee, Florida, 32399-0790.

If a person decides to appeal any decision made by the board with respect to any matter considered at this meeting or hearing, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record 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 Area of Critical State Concern at (850)488-4925, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired please contact the Area of Critical State Concern using the Florida Dual Party Relay System which can be reached at (800)955-8770 (voice) and (800)955-8771 (TDD).

The **Board of Accountancy** announces the following public meetings to which all persons are invited:

DATES AND TIMES: Thursday, July 8, 2004 beginning at 9:00 a.m. – Probable Cause Panel; Thursday, July 8, 2004 beginning at 2:00 p.m. or as soon thereafter as possible – Rules and CPE Committees Joint Meeting; Friday, July 9, 2004 beginning at 9:00 a.m. – Board Meeting

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. The Rules and CPE Committees will meet jointly to discuss the implementation of Senate Bill 2720, which requires an Ethics continuing professional education (CPE) course for CPA license renewal. The Rules Committee will discuss penalty ranges to several proposed disciplinary guidelines and changes to the current license renewal process. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of any probable cause materials which are open to the public and/or the Board agenda may be obtained by writing to John W. Johnson, Division Director, Division of Certified Public Accounting, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

Note: Portions of the Probable Cause Panel meeting may be closed to the public. If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he/she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting John W. Johnson at (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling (800)955-8711.

The Florida **Electrical Contractors' Licensing Board** announces Official Board Meetings to which all interested persons are invited.

DATE AND TIME: July 21, 2004, 8:30 a.m., or soon thereafter
GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (portions closed to the public).

DATE AND TIME: July 21, 2004, 10:00 a.m., or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting

DATE AND TIME: July 22, 2004, 9:00 a.m., or soon thereafter
GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting

PLACE: Embassy Suites Tampa, 3705 Spectrum Blvd., Tampa, FL 33612, Tel: (813)977-7066

The Board will conduct a general business meeting and also consider a petition filed on April 27, 2004, from Christopher Charles Rudolph, Chris Rudolph's Power Factor, seeking a waiver or variance from paragraph 61G6-5.004(2)(a), Florida Administrative Code, Requirement for Business Organizations.

A copy of the agenda may be obtained by writing the Board Office at 1940 North Monroe Street, Tallahassee, Florida 32399-0771. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based. For further information, contact the Florida Electrical Contractors' Licensing Board at 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact Gregory Spence at the Electrical Contractors' Licensing Board

at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Gregory Spence using the Florida Dual Party Relay System which can be reached at (800)955-8770 (voice) and (800)955-8771 (TDD)

The Florida **Board of Funeral Directors and Embalmers** announces the following meeting, to be held by telephone conference, to which all persons are invited to attend.

DATE AND TIME: June 29, 2004, 10:00 a.m. Eastern Time.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General and Board Business.

PLACE: Via telephone conference; TELEPHONE: (888)461-8118 toll free (outside of Tallahassee), (850)414-5775 direct or suncom 994-5775

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Board of Funeral Directors and Embalmers, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office at (850)487-8304 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

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, July 7, 2004, 9:00 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 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 at 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 at (850)521-0500.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law.

DATE AND TIME: Thursday, July 8, 2004, 8:30 a.m. until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct business of the Probable Cause Panel and any old or new business of the Florida Board of Professional Engineers.

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 at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call to which all persons are invited:

DATE AND TIME: Friday, July 16, 2004, 10:00 a.m.

CONFERENCE CALL NUMBER: (800)955-9331

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

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 the Board of Professional Engineers at 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 at (850)521-0500.

The **Board of Professional Surveyors and Mappers** announces a General Business Meeting. All interested parties are invited to attend at the address listed below.

DATE AND TIME: June 24, 2004, 10:00 a.m., a General Business Meeting

PLACE: Telephone Conference Call, Meet-Me-Number (850)488-8295 or Suncom 278-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct board business.

A copy of the agenda may be obtained by writing: John Knap, Executive Director, Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756 or by calling (850)487-1395.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at (800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact John Knap by Monday, June 21, 2004.

The **Florida Mobile Home Relocation Corporation** announces a meeting of its Board of Directors to consider mobile home applications for compensation and relocation due to eviction as a result of land use change.

DATE AND TIME: Wednesday, June 30, 2004, 9:00 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL 22760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in the use of the land, and such other business as may come before the board.

A schedule of the next meeting will be determined. Additional information may be obtained by contacting: Connie Prince, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317, (888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas and the **Division of Parks and Recreation** announce a public workshop to receive public input on the revision of the management plan for the Cockroach Bay Preserve State Park (formerly the Cockroach Bay State Buffer Preserve).

DATE AND TIME: July 19, 2004, 6:30 p.m. – 8:30 p.m.

PLACE: Ruskin Branch Library located at One Dickman Drive, SE, Ruskin, FL., (813)671-7638

GENERAL SUBJECT MATTER: Discussion of the ten-year plan update for the management of the islands of the Cockroach Bay Preserve State Park. Copies of the management plan will be available for review at the Ruskin Branch Library. For further information contact: Randy Runnels at (941)721-2068, ext 207 or at randy.runnels@dep.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any person requiring special accommodations due to a disability or physical impairment should contact the agency at least 48 hours prior to the meeting in order to request any special assistance.

DEPARTMENT OF HEALTH

The **Department of Health**, Bureau of Emergency Medical Services (EMS) invites the public to attend the following Grant Writing Workshop.

DATE AND TIME: July 6, 2004, 10:30 a.m. – 12:00 noon, Eastern Standard Time. Additional workshops will be conducted in other areas of the state and will be noticed at a later date

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32819. For the training room number, check with the EMS registration desk on July 6 at the site, the public folder relating to the July EMS Advisory Council meeting, or call the below contact person.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a grant writing workshop for Emergency Medical Service (EMS) providers and other eligible organizations. The grant workshop will be conducted to provide training and information to potential grant applicants about the Florida EMS matching grant program. There is no cost or pre-registration for this workshop.

ASSISTANCE: Any person requiring special accommodations at this workshop because of a disability or physical impairment should contact Ms. Donna Bruce, Florida Bureau of Emergency Medical Services, (850)245-4440, Extension 2782, at least 48 hours prior to the meeting.

If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

CONTACT PERSON: Ed Wilson, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, (850)245-4440, Extension 2737, e-mail: Ed_Wilson@doh.state.fl.us.

P. O. #QT0020.

The **Department of Health**, Bureau of Emergency Medical Services, announces a public meeting to which all persons are invited.

DATE AND TIME: July 6, 2004, 11:30 a.m. – 1:30 p.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida 32819-8122, (407)996-9840/(800)800-9840, Toll Free Number to call into meeting: (888)461-8118

GENERAL SUBJECT MATTER TO BE CONSIDERED: A committee appointed by the Bureau of Emergency Medical Services is holding a meeting to assist the Department of Health in the implementation of the 1999 trauma legislation which requires the development of criteria for the consultation and transfer of trauma victims between trauma centers and acute care hospitals.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, at 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399-1738 or by calling George Schaffer at (850)245-4440.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency before June 29, 2004, by contacting George Schaffer at (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). Purchase Order Number B00829.

The **Department of Health**, Bureau of Emergency Medical Services, announces a public meeting to which all persons are invited.

DATE AND TIME: July 6, 2004, 2:00 p.m. – 4:00 p.m.

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida 32819-8122, (407)996-9840/(800)800-9840; Toll Free Number to call into meeting: (888)461-8118

GENERAL SUBJECT MATTER TO BE CONSIDERED: A subcommittee (Trauma Agency/Trauma System Evaluation Subcommittee), appointed by the State Trauma System Plan

Implementation Committee, is holding a meeting to assist the Department of Health in the implementation of a trauma system evaluation tool to evaluate trauma care in areas of the state that do not have trauma agencies.

A copy of the agenda may be obtained by writing: Department of Health, Bureau of Emergency Medical Services, at 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399-1738 or by calling George Schaffer at (850)245-4440.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this conference call is asked to advise the agency before June 29, 2004, by contacting George Schaffer at (850)245-4440. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). Purchase Order Number B00829.

The **Council on Physician Assistants** announces a meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 7, 2004, 12:00 p.m. or soon thereafter

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Council business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Council on Physician Assistants (850)245-4131 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Council on Physician Assistants the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: JoAnne Davis-Trexler, Supervisor/Consultant, Council on Physician Assistants, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

If any person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

The **Department of Health, Board of Dentistry**, announces an official business meeting to be held via telephone conference call. All interested parties are invited to attend the telephone conference call, which is open to the public.

DATE AND TIME: June 28, 2004, 4:30 p.m.

TELEPHONE NUMBER: (850)245-4574

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board of Dentistry

A copy of the agenda may be obtained by writing to Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at (800)955-8771.

The **Department of Health, Division of Medical Quality Assurance**, hereby gives notice of public workshops to which all interested persons are invited.

DATES AND TIMES: Wednesday, July 7, 2004, 2:00 p.m. through 5:00 p.m.; Wednesday, July 14, 2004, 2:00 p.m. through 5:00 p.m.; Wednesday, July 21, 2004, 2:00 p.m. through 5:00 p.m.; Wednesday, July 28, 2004, 2:00 p.m. through 5:00 p.m.

PLACE: 4042 Bald Cypress Way, Room 301, Capital Circle Office Complex, Tallahassee, Florida 32399,

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input regarding the implementation of Rule Chapter 64B-5, F.A.C., rules governing the Department's electronic continuing education tracking system.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Knepton, Department of Health, 4052 Bald Cypress Way, Bin C00, Tallahassee, Florida 32399

Any person requiring a special accommodation at this workshop because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the workshop. If you are hearing or speech impaired, please contact the Department's office using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

The Florida **Board of Medicine and Board of Osteopathic Medicine** Joint Anesthesiologist Assistant Committee will hold the following meeting to which all persons are invited:

DATE AND TIME: Tuesday, June 29, 2004, 2:00 p.m., or shortly thereafter

PLACE: The Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607 (813)879-5151. Meet Me Number (800)416-4254 or suncom (850)292-2903.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

The Florida **Board of Medicine**, Expert Witness Committee announces a telephone conference call to be held via meet me number.

DATE AND TIME: Monday, June 28, 2004 commencing at 12:00 p.m.

PLACE: Meet me Number: Contact Florida Board of Medicine at (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 at (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, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way., Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

The **Board of Nursing** Central Probable Cause Panel will hold a duly noticed conference call meeting, to which all persons are invited to attend.

DATE AND TIME: July 13, 2004, 6:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (850)921-6433

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4125 at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board Office using the Dual Party Relay System at (800)955-8770 (Voice) and (800)955-8771 (TDD). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing to: Dan Coble, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

The **Department of Health, Board of Pharmacy**, Pharmacist Prescribing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 12, 2004, 9:00 a.m.

PLACE: Nova Southeastern University College of Pharmacy, 3200 South University Drive, Ft. Lauderdale, FL 33328-2018, (954)262/1407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to conduct general business.

A copy of the board agenda materials, which are open to the public, may be obtained by writing to Garnet Keller, Program Administrator, Board of Pharmacy, 4052 Bald Cypress Way, BIN C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health, Board of Pharmacy**, Negative Drug Formulary announces a public meeting to which all persons are invited.

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

PLACE: Teleconference Meeting, (850)410-0962; (850)210-0962 Suncom

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to review a request for removal of Levothyroxine Sodium from the Negative Drug Formulary.

A copy of the board agenda materials, which are open to the public, may be obtained by writing to Lucy Gee, Interim Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, BIN C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Pharmacy, Garnet Keller, (850)245-4614 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Department of Health** announces a meeting of the Research Review and Advisory Committee of the Bureau of Onsite Sewage Programs to which all persons are invited.

DATE AND TIME: June 28, 2004, 9:00 a.m.

PLACE: This meeting will be conducted via telephone conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed and current research projects, including review and comment on the draft final report of the "Karst Study" of groundwater at onsite sewage treatment and disposal sites in Manatee Springs State Park.

A copy of the agenda and the call-in phone numbers may be obtained by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by e-mail at Susan_Polangin@doh.state.fl.us, or by phone at (850)245-4070.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact Susan Polangin at (850)245-4070 at least one week prior to the meeting.

The **Department of Health**, James and Esther King Biomedical Research Program, Advisory Council announces a Teleconference Meeting which will be held:

DATE AND TIME July 13, 2004, 10:00 a.m.

PLACE: 4052 Bald Cypress Way, Tallahassee, FL 32399; Call-in Number: (850)488-5778, SunCom Users: 288-5778

A copy of the agenda may be obtained by writing: Susan Phillips, 4052 Bald Cypress Way, BIN #A24, Tallahassee, FL 32399-1749, (850)245-4527

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited:

ALLIANCE MEETING

DATE AND TIME: June 25, 2004, 8:30 a.m. – 10:30 a.m.

PLACE: Workforce Development Board, 9350 South U. S. Highway 1, Port St. Lucie, FL 34952

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Hwy. 1, Room 327, Fort Pierce, Florida 34950, (772)467-4178

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System (800)955-8770 (Voice) and (800)955-8771 (TDD).

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** (FWC) announces a public meeting regarding the use of dogs to hunt deer, to which all interested persons are invited.

DATE AND TIME: Tuesday, June 29, 2004, 7:00 – 9:00 p.m. CDT

PLACE: Chipola Community College Art Center, 3094 Indian Circle, Marianna, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: At the April 14, 2004, meeting of the Fish and Wildlife Conservation Commission, Commission members directed staff to identify ways to resolve conflicts associated with the use of dogs for deer hunting, particularly where dogs are trespassing onto private property. Public meetings concerning deer dog hunting on private lands were held in Lake City (May 26) and Marianna (May 27). Public comments were received and suggestions have been considered. As a result changes have been made to earlier rule proposals. The purpose of this public meeting is to review new drafts of possible changes in regulations, and request suggestions from the public. Public input will be considered as recommendations are developed for the next Commission meeting scheduled for July 14, 2004, in Tallahassee, Florida. Any proposed rule changes will be considered for final adoption at the July 14 meeting Commission meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by call (850)488-9542.

For further information contact Cory R. Morea, at 5300 High Bridge Road, Quincy, Florida 32351, (850)627-9674.

The Florida **Fish and Wildlife Conservation Commission** (FWC) announces a public meeting to which all interested persons are invited.

DATE AND TIME: Thursday, July 1, 2004, 6:00 – 8:00 p.m. CDT

PLACE: Holmes County High School, 825 Highway 90 West, Bonifay, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: At the April 14, 2004 meeting of the Florida Fish and Wildlife Conservation Commission, an update was given to the Commissioners on the Holmes County turkey restoration project. Commissioners then directed staff to proceed in developing proposals for reopening Holmes County to a limited spring turkey hunt beginning in the spring of 2006.

The purpose of this public meeting is to obtain input from the public regarding various future spring turkey hunt options for Holmes County. Public input will be considered, along with all available and pertinent information, relative to the development of a draft rule proposal for the September Commission meeting to be held in Tampa, Florida. Any proposed rule changes will be considered in concept at this September meeting along with public comment; rule changes will not be considered for adoption at this Commission meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency by call (850)488-9542. For further information contact Cory R. Morea, at 5300 High Bridge Road, Quincy, Florida 32351, (850)627-9674.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

The **H. Lee Moffitt Cancer Center and Research Institute**, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 21, 2004, 8:30 a.m.

PLACE: SRB Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by writing to: Ms. Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, Tampa, FL 33612

Persons requiring special accommodations due to disability or physical impairment should contact: Ms. Barbara Sawyer.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a special public meeting, where all interested parties are invited:

DATE AND TIME: Wednesday, June 23, 2004, 10:00 a.m.

PLACE: Finance Department, First Floor, City Hall, City of Coral Gables, 405 Biltmore Way, Coral Gables, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of Board of Directors

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, at (850)878-1874.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited:

DATE AND TIME: July 14, 2004, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that the Department of Education issued an order disposing of the petition for declaratory statement which was filed by Mr. Miles Gopman, Esquire on December 9, 2003. The following is a summary of the agency's disposition of the petition:

A Financial Aid Appeal Committee hearing was conducted on December 29, 2003, which unanimously determined that no error had been made in the re-evaluation of Petitioner's non-eligibility for the Florida Bright Futures Academic Scholars award (Order in DOE Case No. 2004-972-FOI). In the aggregate, the Petitioner sought consideration at the Appeal Hearing and as well in its Petition for Declaratory Statement, regarding the following three issues: 1) that the requirement for foreign language could be met after high school graduation; 2) that the statutes allow for a waiver of the two (2) year foreign language requirement based on learning disability; and 3) that the statutes allow for post secondary foreign language credits to account for Bright Futures requirements.

The Petitioner's request for an Appeal Hearing and Declaratory Statement also both address the applicability of the following statutory provisions to the Petitioner's financial aid

situation: Sections 1003.43; 1009534(1)(a); 1009.531(1) (a)-(f); 1009.531(2), (3), and (5); 1007.27(1); 1007.27(2), (5), (6), (11), and (12); 1007.261(3), Florida Statutes.

Response: Declaratory statements are for the purposes of interpreting the law and state agency's are limited to the extent of issuing legal opinions on the application of a statutory provision to the petitioner (BJL v. Department of Health and Rehabilitative Services, 558 So. 2d 1078 (Fla. 1st DCA 1990); Coastal Petroleum Company v. State of Florida, Department of Natural Resources, 608 So. 2d 110 (Fla. App. 4 Dist., 1992). Therefore, the purposes of a petition for declaratory statement must not be for seeking approval or disapproval of agency actions (Novick v. Department of Health, 816 So. 2d 1237, 1240 (Fla. App. 5 Dist., 2002), nor for seeking to challenge agency action.

The Petitioner was denied a Bright Futures Scholars award for not fulfilling the two (2) year foreign language requirement prior to completing high school. The Financial Aid Appeal Committee reviewed Petitioner's file and affirmed the initial determination of non-eligibility in its Order on the matter. Petitioner's request for declaratory statement seeks to raise issues that were or could have been raised by the Petitioner in the Appeal hearing pursuant to Section 1009.42, Florida Statutes. The Petitioner seeks to essentially challenge an agency decision. The Department denies the petition on the grounds that it seeks a ruling on events that have already taken place, and on matters that were or could have been raised as a subject of an adversarial proceeding.

A copy of the disposition of this request may be obtained by writing: José Blas Lorenzo, Jr., Assistant General Counsel, Department of Education, Office of Student Financial Assistance, 1940 North Monroe Street, Suite 70, Tallahassee, FL 32303.

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 FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Insurance has received a petition for a declaratory statement from The Phineas Corporation. The petition seeks the agency's opinion as to the applicability of Sections 627.291 and 627.371, F.S. to the Petitioner.

A copy of the petition may be obtained by contacting Christopher Hunt, Esquire, Division of Legal Services, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0333. Phone: (850)413-4108.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

REQUEST FOR PROPOSAL MEETING

A meeting to review and evaluate proposals received in response to the Bid No. Request for Proposals 2004-23, Computer-Based Testing of Accommodations for the Grade 10 Florida Comprehensive Assessment Test (FCAT), will be held June 28-30, 2004, 8:00 a.m. – 5:00 p.m., in Turlington Building, Room 1703/07, Tallahassee, Florida. To obtain additional information and request an agenda for this meeting, please contact Dr. Judith Keck by calling (850)245.0513.

REQUEST FOR BID

The University of Florida, Purchasing Division will receive sealed bids for the following: 04L-190, DHRE Project #4468-11-88, Broward Hall Teaching Center Renovation, estimated budget: \$225,000 – \$275,000, to be opened July 13, 2004, at 2:00 p.m. Local Time.

Scope of work: Provide all labor, materials and supervision to renovate the old cafeteria space located in Broward Hall (ground floor). 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 June 29, 2004, at 10:00 a.m. in the Jennings Annex Conference Room, Museum Road (between Beaty Towers and the Police Dept.), Gainesville, FL. All questions should be directed to Sonia Coleman, Purchasing Assistant, UF Purchasing (352)392-1331.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331 within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida St. Petersburg announces that continuing professional services are required for the following disciplines: Architecture and Construction Management.

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1, 2004 to June 30, 2005. Award of contract is for an initial period of one (1) year with an Owner's option to renew for one (1) additional year. The consultant receiving the award will not have an exclusive

contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall submit a letter of interest specifying the discipline for which they are applying and a completed State University System "Professional Qualifications Supplement" form. Proposals must not exceed 40 pages, including the "Professional Qualifications Supplement" and letter of interest. Construction Manager qualifications supplement proposals and letter of interest must not exceed 80 pages. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

Attach to each letter of interest:

1. The State University System "Professional Qualifications Supplement," dated September, 1999, or the "Construction Manager Qualifications Supplement," dated February, 1999, completed by the applicant. Applications in any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; volume of work; and distance from project.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The State University System "Professional Qualifications Supplement," and "C.M. Q.S.," descriptive project information, and selection criteria may be obtained by contacting: Maria de Laval, Contracts Administrator, University of South Florida St. Petersburg, Facilities Planning and Construction, 140-7th Avenue So., TER 100, St. Petersburg, FL 33701, Phone (727)553-4822, or Fax (727)553-4194.

All interested firms are invited and encouraged to attend a pre-submittal meeting to be held at 2:00 P.M., Eastern Standard Time, on June 14, 2004, at the University of South Florida St. Petersburg, Davis Hall 130, 140-7th Avenue So., St.

Petersburg, Florida, to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted.

It shall be noted that no verbal communication shall take place between the shortlisted applicants and the University of South Florida St. Petersburg. Requests for any project information must be in writing to the above address.

Six (6) bound copies of the above required proposal data shall be submitted to: James A. Grant, AIA, Director, Facilities Planning & Construction, University of South Florida St. Petersburg, 140-7th Avenue So., TER 100, St. Petersburg, FL 33701. Applications that do not comply with the above instructions may be disqualified. Application materials will not be returned. Submittals must be received at the above campus address by 2:00 p.m. Eastern Standard Time, on June 25, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered. The Selection Committee may reject all proposals and stop the selection process at any time.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida St. Petersburg announces that a Design/Build Services Team for the design and construction of a student residential facility will be required for the project listed below. The University will utilize a Proposal Based Selection Process for the project whereby the short listed applicants will provide a proposal based on design criteria to be provided to them at that time.

Project Name: USF St. Petersburg Student Residential Facility (Phase I)

Project Location: University of South Florida St. Petersburg, St. Petersburg, Florida

Project Description: The University of South Florida St. Petersburg will provide a minimum of approximately 353 beds of student housing in a newly-built residence hall on campus land for occupancy in fall 2006. The project will include a mix of 4-bedroom single and 2-bedroom double apartments in a 7 story building to minimize rental risk and provide flexibility in housing assignments. A site at the northeast corner of campus has been selected for this use, which is consistent with the proposed amendment to the Campus Master Plan. The project must comply with and adhere to the program to meet financial proforma requirements. The Design/Build Services Team shall be responsible for management of the process and project to meet project scope, budget and schedule requirements. The management of the process and project by the Design/Build Services Team shall facilitate the Owner's Residential needs, and accomplish those needs within the mandatory project schedule for occupancy requirements. The Design/Build Services Team contract shall be in compliance with the Design/Build Services Team selection provisions in FAC 6C-14.007 including pre-construction fees, construction related service costs and a guaranteed maximum price.

The University will contract with the selected team for all services including, but not necessarily limited to, budgeting, labor, materials, and equipment required to design, construct, and furnish the project. The selected team will be required to provide computer generated drawings in accordance with the standards of the University of South Florida St. Petersburg. Blanket professional design liability insurance will be required for this project as stated in the Design and Construction Services Qualifications Supplement Form (DCSQS). The proposed contractual value of this project can be as high as \$14,000,000. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best Rating of "A".

INSTRUCTIONS:

Teams desiring to apply for consideration shall submit six (6) copies of a letter of interest and six (6) copies of the complete "Design and Construction Services Qualifications Supplement (DCSQS)", which may be obtained by contacting: Maria de Laval, Contracts Administrator, University of South Florida St. Petersburg, Facilities Planning and Construction, 140-7th Avenue So., TER 100, St. Petersburg, FL 33701, Phone (727)553-4822, or Fax (727)553-4194. All teams must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Interested teams are required to have a representative attend a presubmittal meeting at the University of South Florida St. Petersburg to be held at 2:00 p.m. Eastern Standard Time, on Friday, June 25, 2004 in Davis Hall Room 130, USF St. Petersburg, 140-7th Avenue So., St. Petersburg, Florida, to review the scope and requirements of this project. Requests for meetings by individual teams will not be granted.

MINORITY PROGRAM:

Teams are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, State of Florida, Department of Labor and Employment Security. A minimum goal of 21% participation is suggested.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Six (6) copies of the required information shall be submitted to the attention of James A. Grant, AIA, Campus Architect and Director, Facilities Planning and Construction, University of South Florida St. Petersburg, 140-7th Avenue So., TER 100,

St. Petersburg, FL 33701 no later than 2:00 p.m. Eastern Standard Time, Friday, July 9, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions or qualifications or Design/Build proposals without obligation to the respondent. The award of this contract is subject to the availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of North Florida Board of Trustees, a public body corporate, announces that Professional Services in the discipline of Architect/Design Criteria Consultant will be required for the project listed below:

Project and Location: Phase VI Residential Housing.

The project consists of an 850-1,000 bed residential complex to serve the needs of the on-campus population. This addition to the current inventory of student housing will be comprised of:

- 1 to 2 newly constructed buildings
- Maximum 6 stories high
- Complex will provide housing at a Student to Staff Ratio of 40 to 1
- Project will have at least 12 community lounges with enough space to promote educational programming and community development
- Project will provide students with 3 types of living units to select from
- Project may also include a dining facility, Olympic pool and full service administrative office
- Facility to open Fall 2007.
- The successful Design Criteria Consultant will not be permitted to participate in the design/build project but may be retained as the Architect of record for the University.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. The most recent version of the Board of Regents "Professional Qualifications Supplement," completed by the applicant. Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

Minority Business participation will not be considered in the scoring process.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting:

Phillip Turner, AIA
University of North Florida
4567 St. Johns Bluff Road, South
Jacksonville, Florida 32224
(904)620-2016, Fax (904)620-2020

Submittals must be received in the office of Facilities Planning, JJ Daniel Hall, University of North Florida, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224, by 2:00 p.m. local time, on July 20, 2004. Facsimile (FAX) submittals are not acceptable and will not be considered.

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ARCHITECTURE-ENGINEERING

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NUMBER: FSDB-20040011

PROJECT NAME: Police/Security Building

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

SERVICES TO BE PROVIDED: Architectural and engineering services including, but not limited to: civil, structural, mechanical and electrical design work for the complete preparation of construction documents necessary for renovation and additions to the Police Services and Security Building. Existing building is approximately 1670 sf. New additions are expected to expand the square footage to approximately 3400 sf and will include updated communications, security, and fire alarm equipment for monitoring of the entire FSDB campus. Building will be occupied and in service during the renovation and additions process. Basic construction administrative services will be required.

CONSTRUCTION BUDGET: \$1,000,000
 FSDB PROJECT MANAGER: Lloyd Jenkins
 PHONE NUMBER: (904)827-2363
 RESPONSE DUE DATE: July 16, 2004, no later than 3:00 p.m.

INSTRUCTIONS:

Firms interested in being considered for this project must submit four (4) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
3. A copy of firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Applicants are advised that plans and specifications for A/E projects may be reused.

Applications are to be sent or delivered to the Florida School for the Deaf and the Blind, Attn: Mr. John Connor, Purchasing Director, 207 N. San Marco Ave., Building #28 Stores/Receiving, St. Augustine, FL 32084-2799.

Applicants will be short-listed on July 28, 2004. Following the short-list selection, a pre-interview workshop will be held on August 4, 2004 for all short-listed firms. Interviews will be conducted on August 18, 2004. A final selection will be made after the interviews have taken place. Selections will be made in accordance with Chapter 287.055, Florida Statutes. The selected firm will be given official notice of selection results by FAX and/or mail.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #28 Stores/Receiving, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall

constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the Walter Pownall Service Center, 11111 South Belcher Road, Largo, Florida until 3:00 p.m. local time, on July 1, 2004 for the purpose of selecting a supplier to provide Laundry Service for School Cafeterias per the bid specifications for:

Laundry Service for School Cafeterias
 Bid #04-954-694

The purpose and intent of this invitation to bid is to select a supplier who will provide pick-up, cleaning, linen repair services and re-delivery of district owned linens to school cafeterias county wide for the contract period as specified herein.

Public opening of the Bids will occur in the Purchasing Conference Room at the above address and all interested parties are invited to be present.

Plans and specifications are available at the office of:

Purchasing Department
 Walter Pownall Service Center
 11111 So. Belcher Road
 Largo, FL 33773

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

J. HOWARD HINESLEY	JANE GALLUCCI
SUPERINTENDENT OF SCHOOLS	CHAIRMAN
AND EX-OFFICIO SECRETARY	
TO THE SCHOOL BOARD	MARK C. LINDEMANN
	DIRECTOR, PURCHASING

TAMPA BAY REVIEW FOR PUBLICATION: June 11, 2004 and June 18, 2004

INVITATION TO BID

Sealed bids will be received by the Columbia County Schools, Purchasing Department, 372 West Duval Street, Lake City, Florida 32055 until 2:00 p.m. on July 1, 2004, for the following:

Bid Number: 3042

TITLE: Bid for Bread, SFS

Detailed specifications may be obtained from the Purchasing Department at the above address or by calling (386)755-8038 or FAX (386)755-8077. The School Board reserves the right to reject any and all bids. This bid shall be for bread products delivered to twelve (12) schools on an as needed basis throughout the 2004-05 school year. Estimated annual purchase is \$100,000.00.

INVITATION TO BID

Sealed bids will be received by the Columbia County Schools, Purchasing Department, 372 West Duval Street, Lake City, Florida 32055 until 2:00 p.m. on July 1, 2004, for the following:

Bid Number: 3043

TITLE: Bid for Milk, SFS

Detailed specifications may be obtained from the Purchasing Department at the above address or by calling (386)755-8038 or FAX (386)755-8077. The School Board reserves the right to reject any and all bids. This bid shall be for milk and milk products delivered to twelve (12) schools on a daily basis throughout the 2004-05 school year. Estimated annual purchase is \$200,000.00.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

NOTICE TO PROFESSIONAL CONSULTANTS

STATE OF FLORIDA

DEPARTMENT OF CORRECTIONS

EXTENSION OF RESPONSE DATE – REQUEST FOR QUALIFICATIONS

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL ENGINEERING SERVICES

The State of Florida, Department of Corrections, Bureau of Purchasing, announces that Professional Services are required from Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of Lynda McCallum, Bureau of Purchasing, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The selected firm will be required to perform its services on an accelerated schedule.

INSTRUCTIONS:

Any firm desiring to provide professional services for this project shall apply for consideration by submitting the following documents in a sealed envelope:

1. A Letter of Interest, indicating within the body of the letter the firm's specific abilities respective to the particular project's requirements and office location(s) from which the firm will be doing the work.

2. A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated July 2000) with current data.

3. A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida. Include a copy of the charter.

4. Attach a current copy of the SF 254 for the office(s) who will be performing the work.

5. Evidence of professional liability insurance in the amount of at least \$500,000.

6. Describe scope of work to be assigned to any sub-consultant.

7. Names, specific qualifications and professional memberships of person(s) to be assigned to this project and their respective roles (do not include resumes).

8. Names, addresses and phone numbers of at least three (3) other clients for whom similar services have been performed within the last five (5) years and the date, project name, brief project description, firm's project manager and specific services provided in each case.

9. If desired, additional examples of similar projects completed by persons to be assigned to this project, references and any other supporting information.

Submit five (5) copies of the required information above, with one packet containing an original Letter of Interest. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and be disqualified. The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, ("Consultants' Competitive Negotiation Act").

SELECTION PROCESS

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this RFQ. Interviews of all ranked respondents may or may not be required, at the direction of the Committee. Under the authority delegated to the Secretary of the Department of Corrections by Florida Statute 287.055, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to a single firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation procedures. The selected firm will be notified after approval by the Secretary and all applicants will receive copies of this information.

Response Date: June 30, 2004 by 4:00 p.m. Late submittals will not be opened or considered.

PROJECT: Scope of work is for Professional Engineering Services to design the site work and utilities for two prototype work camps. Services include design, environmental permitting, bidding and construction administration.

PROJECT LOCATION: Taylor Correctional Institution, Perry, Florida and Regional Medical Center, Lake Butler, Florida.

Branford shall be utilized as the project site from which the Department will calculate distance to the Engineer's office location for selection purposes.

PROJECT NUMBER: To Be Determined

ESTIMATED CONSTRUCTION COST: \$4,970,000

PROJECT ADMINISTRATOR: Terry Knepper, P.E., DEE, (850)410-4095

DEPARTMENT OF MANAGEMENT SERVICES

DIVISION OF FACILITIES MANAGEMENT AND BUILDING CONSTRUCTION PUBLIC ANNOUNCEMENT FOR ELECTRICAL CONTRACTORS TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES, CONTINUING AREA CONTRACTS AREA 2 The State of Florida, Department of Management Services, Division of Facilities Management and Building Construction requests qualifications from electrical contractors to provide construction management services in Area 2, counties of Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and other counties as may be determined necessary by the owner.

For details please visit the Department's website listed below and click on "Search Advertisements - Division of Facilities Management and Building Construction."

http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE TO PROFESSIONAL CONSULTANTS PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ARCHITECTURE-ENGINEERING

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that professional services are required for the project listed below. Applications being sent via the U. S. Mail or via overnight express service shall be sent to, DAVID LEE NELSON, SENIOR ARCHITECT/PROJECT DIRECTOR, Florida Department of Health, Office of Design and Construction, 4052 Bald Cypress Way, BIN #B06, Tallahassee, Florida 32399-1734, Phone (850)245-4444 - ext. 3164; Facsimile (850)410-1474.

PROJECT NUMBER: #20350001

PROJECT NAME: PALM BEACH COUNTY HEALTH DEPARTMENT ADMINISTRATION BUILDING

SERVICES TO BE PROVIDED: Architecture-Engineering services for a proposed multi-story office building to be located in the City of West Palm Beach, FL, containing approximately 85,000 gross square feet with associated parking (which may be on grade or partially in a parking deck). ESTIMATED CONSTRUCTION BUDGET: \$13,000,000.00 RESPONSE DUE DATE: 4:00 p.m. Eastern Daylight time on Friday, July 16, 2004.

INSTRUCTIONS: Submit three (3) bound copies of the following information: *

1. Table of contents
2. Letter of interest
3. A copy of the current Department of Health Professional Qualifications Supplement (PQS) Form DBC5112 Revised 10/97. A copy can be obtained by calling (850)245-4066.
4. A copy of the firm's current Florida Professional License registration. (Proper registration at the time of application is required.)
5. (CORPORATIONS ONLY) Current Corporate Certificate providing evidence of validation date and designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
6. Completed Standard Form 254
7. Completed Standard Form 255

*In Article Eight, Work by Firm or Joint-Venture Members, list only projects designed, under construction, and/or completed within the past five (5) years.

8. A stamped self-addressed if the applicant would like a Notice of Selection result.

* All applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and any section dividers. However, this is not a mandatory requirement.

EVALUATION: All proposals submitted shall become the property of the Department of Health. The submitted proposals will be placed on file and not returned. Any proposals that do not comply with the above instructions as set forth and/or do not include the required qualification data will be considered improper and disqualify the applicant. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the department shall shortlist a minimum of three (3) firms.

FLORIDA HOUSING FINANCE CORPORATION

Request for Qualifications

2004-02 Printing, Reproduction and/or Copying Services The Florida Housing Finance Corporation invites all qualified and interested parties wishing to provide compliance monitoring services to submit proposals for consideration.

Written, sealed proposals shall be accepted until 2:00 p.m., Eastern Time, Wednesday, July 21, 2004, to the attention of Robin Grantham, Contract Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Robin Grantham at (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Qualifications, 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 Qualifications 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 Qualifications will be posted at the web site and may result in an extension of the deadline.

DEPARTMENT OF FINANCIAL SERVICES

MIAMI BRIDGE YOUTH AND FAMILY SERVICE, INC.
 advertisement for competitive sealed bids
 national school lunch and breakfast program
 FOR

All categories of food, paper, foam and chemicals, etc. Sealed bids will be accepted by the Purchasing Department of Miami Bridge Youth and Family Services, Inc. until 2:00 p.m., June 28, 2004, at the office of Miami Bridge Youth and Family Services, Inc., located at 2810 NW South River Drive, Miami, FL 33125

Product specifications, quantities and service requirements may be obtained by calling the phone number listed below and requesting a national school lunch and breakfast program competitive sealed bids packet. Sealed bid packets will be mailed or e-mailed to intending bidders. Packets will include submission instructions.

The sponsor reserves the right to reject any and all bids, waive informalities, and to accept the lowest and/or best bid response in the judgment of the sponsor's governing board.

All questions concerning this advertisement should be directed to:

Contact person: Cheryl Marshburn
 Phone number: (305)245-6751
 Fax number: (305)245-6751

Please indicate if you desire to have bid packet mailed or e-mailed

FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES

INVITATION TO NEGOTIATE

The Florida Network of Youth and Family Services, Inc. (FNYFS) announces the extension and amendment of the availability of a previously posted Invitation to Negotiate (ITN). It is the intent of this ITN to obtain qualified

respondents interested in participating in contract negotiation with the FNYFS for the provision of Community-Based services located in specified Judicial Circuits and in specified counties.

These services will include:

- screening
- assessment
- referral
- non-residential services
- court management
- case staffing
- temporary shelter services
- staff secure shelter services
- case management
- crisis intervention
- outreach services
- data collection and management

and other services to eligible youth and families as defined in Chapter 984, Florida Statute. The Purpose, Areas to be Served, Respondent Eligibility, Expected Outcomes, Calendar of Events, General Terms and Conditions, Mandatory Requirements and Selection Process are included in the amended ITN. Copies of the amended ITN can be downloaded from the FNYFS web site (www.floridanetwork.org) or copies can be requested by writing to Terry DeCerchio, 2850 Pablo Avenue, Tallahassee, FL 32309; or call (850)922-4324. Any new modifications that occur to the ITN will be posted at the web site.

Not later than June 14, 2004 by 4:00 p.m., questions concerning conditions and specifications of this ITN must be sent in writing via mail to the above address or via e-mail to the following address: Terry@floridanetwork.org. Telephone inquiries regarding the above will not be responded to. The deadline for submitting proposals for this ITN is July 7, 2004. The FNYFS will not accept telegraphic, facsimile or electronically transmitted proposals. Selected applicants will be expected to begin services on September 1, 2004.

LEON COUNTY EDUCATIONAL FACILITIES AUTHORITY

Request for Proposals
 To Purchase 82 Townhouses

The Leon County Educational Facilities Authority invites all interested parties to submit proposals for consideration for the purchase of 82 townhouses owned by the Authority. Written, sealed proposals shall be accepted until 2:00 p.m., Eastern time, Friday, July 2, 2004, to the attention of Calvin Ogburn, Executive Director, Leon County Educational Facilities Authority, c/o Terrell C. Madigan, Esq., McFarlain & Cassidy, P.A., 305 South Gadsden Street, Tallahassee, Florida 32301.

For questions or additional information, please contact Calvin Ogburn, (850)386-4848, or cogburn924@comcast.net

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 Calvin Ogburn.

CITY OF SANIBEL

**REQUEST FOR QUALIFICATIONS (RFQ)
FOR
CONSTRUCTION MANAGEMENT SERVICES**

I. LEGAL ADVERTISEMENT

The City of Sanibel, Florida is accepting Statements of Qualifications (SOQs) from qualified firms to provide Construction Management Services for the Recreation/Community Center located in the City of Sanibel. The Construction Budget is approximately \$7+ million. Anticipated Construction Start Date will be summer 2005.

Applicant must be a licensed General Contractor in the State of Florida at the time of application and thereafter, qualified to perform the required scope of services described herein. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

INSTRUCTIONS

Firms interested in being considered for this project must submit ten (10) copies of their application with a table of contents and tabbed sections as listed in Section III.B.2.

Response Due Date: July 20, 2004, 5:00 p.m.

Applications are to be sent to: Judith A. Zimomra
City Manager
City of Sanibel
800 Dunlop Road
Sanibel, FL 33957

A mandatory Pre-Submittal Conference is scheduled for June 29, 2004 at 9:00 a.m. at the Sanibel School Conference Room adjacent to the existing Recreation Center, 3840 Sanibel Captiva Road, Sanibel, FL 33957. Only those in attendance will be allowed to submit their qualifications.

All proposal information submitted becomes the property of the City of Sanibel, will be placed on file and not returned. Applications which do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. The City of Sanibel will shortlist a minimum of three (3) qualified firms.

The City of Sanibel reserves the right at any time to modify, waive, or otherwise vary the terms and conditions of this request for proposals including, but not limited to, the deadlines for submission, the submission requirements, and the Scope of Work. The City further reserves the right to reject any or all submittals, to cancel or withdraw this request for Statements of Qualifications at any time and negotiate with any party prior to or after submittal of any proposals.

If interested, Construction Management Firms may pick up copies of the Conceptual Drawings and Request For Qualifications Package on Tuesday, June 22, 2004 from: Office of City Manager, 800 Dunlop Road, Sanibel, FL 33957, Telephone: (239)472-3700.

City of Sanibel, Florida
Judith A. Zimomra, City Manager

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.:	BLIM-0504-010
DATE RECEIVED:	6/2/2004
DEVELOPMENT NAME:	BRENTWOOD FARMS
DEVELOPER/AGENT:	Brentwood Farms, Ltd/
DEVELOPMENT TYPE:	28-24.023, F.A.C.
LOCAL GOVERNMENT:	Citrus County

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

North Exuma, a private airport, in Volusia County, at Latitude 29° 05' 41" and Longitude 81° 16' 36", to be owned and operated by Mr. Jay and Kim Hilden, 3685 Crossbranch Road, DeLand, FL 32724.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; (850)414-4500; aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida

Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Vento Motorcycles, Inc. intends to allow the establishment of Mascot Holdings Corp. as a dealership for the sale of Vento motorcycles, at 2123 North State Road 7, Hollywood, (Broward County), Florida 33021, on or after April 1, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Mascot Holdings Corp. are dealer operator(s) and principal investor(s): Matthew Scott, 2123 North State Road 7, Hollywood, FL 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Alan Eini, Dealer Operations, Vento Motorcycles, Inc., 5355 Mira Sorrento Pl. 100, San Diego, CA 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Cross Lander U.S.A. intends to allow the establishment of Florida Outdoors RV Center, as a dealership for the sale of Cross Lander vehicles at 1150 S. Federal Highway, Stuart, (Martin County), Florida 34994 on or after May 22, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Florida Outdoors RV Center are dealer operator(s) and principal investor(s): Brian Spieles, 1150 S. Federal Highway, Stuart, FL 34994.

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: Christopher H. Warren, Vice President, Operations, Cross Lander U.S.A., 3575 N.W. 82nd Avenue, Miami, FL 33122.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Cross Lander U.S.A. intends to allow the establishment of Turning Wheel RV Center, as a dealership for the sale of Cross Lander vehicles at 3040 NW Gainesville Road, Ocala, (Marion County), Florida 34475 on or after May 22, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Turning Wheel RV Center are dealer operator(s) and principal investor(s): Armando Alonso, 3040 NW Gainesville Road, Ocala, FL 34475.

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: Christopher H. Warren, Vice President, Operations, Cross Lander U.S.A., 3575 N.W. 82nd Avenue, Miami, FL 33122.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Cross Lander U.S.A., intends to allow the establishment of Atlantic Leasing and Sales, Inc., as a dealership for the sale of Cross Lander vehicles, at 2375 NW 36 Street, Miami, (Dade County), Florida 33142, on or after May 22, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Atlantic Leasing and Sales, Inc. are dealer operator(s) and principal investor(s): Dimitry Agrachov, 2375 NW 36 Street, Miami, FL 33142.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Christopher H. Warren, Vice President, Operations, Cross Lander U.S.A., 3575 NW 82nd Avenue, Miami, FL 33122.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Cross Lander U.S.A., intends to allow the establishment of Modern Auto Center, Inc. as a dealership for the sale of Cross Lander vehicles, at 1000 S. Federal Highway, Pompano Beach, (Broward County), Florida 33062, on or after May 22, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Modern Auto Center, Inc. are dealer operator(s) and principal investor(s): Dimitry Agrachov & Ernesto Campos, 1000 S. Federal Highway, Pompano Beach, FL 33062.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Christopher H. Warren, Vice President, Operations, Cross Lander U.S.A., 3575 NW 82nd Avenue, Miami, FL 33122.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Cross Lander U.S.A., intends to allow the establishment of Southpointe Cross Lander, as a dealership for the sale of Cross Lander vehicles, at 4975 Clark Road, Sarasota, (Sarasota County), Florida 34233, on or after May 22, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Southpointe Cross Lander are dealer operator(s) and principal investor(s): Jack D. Urfer, 4975 Clark Road, Sarasota, FL 34233.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Christopher H. Warren, Vice President, Operations, Cross Lander U.S.A., 3575 NW 82nd Avenue, Miami, FL 33122.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Polaris Industries, intends to allow the establishment of Victory of South Florida as a dealership for the sale of Victory motorcycles, at 6500 NW 21st Ave., Suite 6, Ft. Lauderdale, (Broward County), Florida 33309, on or after May 19, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Victory of South Florida are dealer operator(s) and principal investor(s): Walter T. and Judith E. Jakobowski, 6500 NW 21st Ave., Suite 6, Ft. Lauderdale, FL 33309.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael W. Malone, VP Finance, CFO, Polaris Industries, 2100 Highway 55, Medina, MN 55340.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchised Motor Vehicle Dealer
in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Southeast Toyota Distributors, LLC, intends to allow the establishment of Pasco County Motor Sales, Inc. d/b/a Wesley Chapel Toyota as a dealership for the sale of Toyota vehicles, on or after May 1, 2005, at the southeast corner of State Road 54 and Interstate 75, in Wesley Chapel, Pasco County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 12; Township 26 South, Range 19 East, thence N.00°21'00"E., along the East line of said Section 12, a distance of 1588.68 feet to the point of beginning and a point on a curve to the left, having: a radius of 725.00 feet, a central angle of 41°22'47", a tangent length of 273.81 feet, a chord bearing of S.47°22'09"W and a chord length of 512.30 feet; thence along the arc of said curve, and departing the said East line of Section 12, an arc length of 523.60 feet to the end of said curve; thence N.89°39'00"W., a distance of 102.40 feet; thence S.61°04'41"W., a distance of 64.81 feet; thence S.63°46'48"W., a distance of 54.04 feet; thence S.75°23'30"W., a distance of 52.48 feet; thence N.59°33'14"W., a distance of 32.53 feet; thence N.50°31'11"W., a distance of 9.38 feet; thence N.23°08'05"W., a distance of 11.14 feet; thence N.54°38'07"W., a distance of 37.82 feet; thence N.44°58'37"W., a distance of 16.10 feet; thence N.74°05'31"W, a distance of 29.08 feet; thence N .55°20'46"W., a distance of 34.22 feet; thence N.85°53'44"W., a distance of 30.86 feet; thence S.89°31'25"W.

a distance of 44.71 feet; thence N.68°10'34"W., a distance of 30.26 feet; thence N.62°24'02"W., a distance of 28.63 feet; thence N.61°01'05"W., a distance of 7.08 feet; thence N.51°00'02"W., a distance of 17.20 feet; thence N.83°57'51"W., a distance of 6.80 feet; thence N.37°22'13"W., a distance of 30.99 feet; thence S.64°15'19"W., a distance of 42.67 feet; thence N.83°47'22"W., a distance of 28.54 feet; thence S.85°20'14"W., a distance of 33.72 feet; thence S.83°01'37"W., a distance of 50.68 feet; , thence S.76°08'58"W., a distance of 13.96 feet; thence S.88°03'11"W., a distance of 11.73 feet; thence N.10°54'41"W., a distance of 26.74 feet: to the Easterly Limited, Access Right of Way line of Interstate 75, per Florida Department of Transportation Right of Way Map Section 14140-2414; thence along said Easterly Limited Access Right of Way line the following three Courses: (1) N.33°54'01"E., a distance of 463.20 feet; (2) N.46°34'55"E. a distance of 409.91 feet; (3) N.33°54'01"E., a distance of 650.00 feet to the Southerly Right of Way line of State Road 54; thence N.81°05'31"E., along said Southerly Right of Way line, a distance of 39.49 feet; thence S.77°26'42"E., along the proposed Southerly Right of Way line of State Road 54, a distance of 180.72 feet to the aforesaid East line of Section 12; thence S.00°21'00"W., along said East line of Section 12, a distance of 915.29 feet to the point of beginning.

The name and address of the dealer operators of Pasco County Motor Sales, Inc. d/b/a Wesley Chapel Toyota are: Corvin Morris, 26951 Bird's Eye Drive, Wesley Chapel, FL 33542 and Scott Wilkerson, 128 Buena Vista Drive North, Dunedin, FL 34698. The name and address of the principal investors are: Corvin Morris, 26951 Bird's Eye Drive, Wesley Chapel, FL 33542, Scott Wilkerson, 128 Buena Vista Drive North, Dunedin, FL 34698 and The Dealer Development Group, Inc., 100 Jim Moran Boulevard, Deerfield Beach, FL 33442. The principal investor and sole stockholder of The Dealer Development Group, Inc., is JM Family Enterprises, Inc. 100 Jim Moran Boulevard, Deerfield Beach, FL 33442.

The notice indicates intent to establish the new point location in a county of more than 300,000 in 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: Brent Bragdon, Sr. Market Representation Manager, Southeast Toyota Distributors, LLC, 100 Jim Moran Blvd., Deerfield Beach, FL 33442.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Western Golf Car, intends to allow the establishment of Gulf Atlantic Vehicles, Inc., as a dealership for the sale of Western, Lido vehicles, at 3298 Pioneer Trail, New Smyrna Beach, (Volusia County), Florida 32170, on or after June 1, 2004.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Atlantic Vehicles, Inc. are dealer operator(s) and principal investor(s): Greg Welsh, P.O. Box 930, 3298 Pioneer Trail, New Smyrna Beach, FL 32170.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: William L. Manning, Vice President Sales, Western Golf Car, 69-391 Dillon Road, Desert Springs, CA 92241.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for nursing home facilities participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for nursing home facilities, the Agency is publishing the proposed rates, the methodologies underlying the establishment of such rates, and justifications for the proposed rates. The Agency is in the process of amending its Title XIX Long-Term Care Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

PROPOSED RATES: The purpose of the proposed amendment is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology effective July 1, 2004.

1. Effective July 1, 2004 and all subsequent rate semesters, each component of a nursing home rate, except for the direct care component, shall be reduced by a proportionate percentage until an aggregate total estimated savings of \$66,689,094 is achieved on an annualized basis.

2. Cost reports submitted on or after July 1, 2004, must include the following statement immediately preceding the dated signature of the provider's administrator or chief financial officer: "I certify that I am familiar with the laws and regulations regarding the provision of health care services under the Florida Medicaid program, including the laws and regulations relating to claims for Medicaid reimbursements and payments, and that the services identified in this cost report were provided in compliance with such laws and regulations."

METHODOLOGIES: The methodology underlying the establishment of the proposed rates for Medicaid nursing facilities will be rates resulting from the revised methodology used to calculate per diems in the Long-Term Care

Reimbursement Plan in accordance with the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 232.

JUSTIFICATION: The justification for the proposed rate change is the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 232. The Agency is proposing the above changes effective July 1, 2004. Providers, beneficiaries and their representatives, and other concerned state residents may provide written comment on the proposed rates, methodologies and justification underlying the establishment of such changes. Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308. Written comments should be submitted no later than July 16, 2004.

Copies of the proposed reimbursement plan incorporating the above changes are not available at this time. Please contact the person listed above to request a copy when they are available.

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for inpatient hospitals participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for inpatient hospitals, the Agency is publishing the proposed rates, the methodologies underlying the establishment of such rates, and justifications for the proposed rates. The Agency is in the process of amending its Title XIX Inpatient Hospital Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

PROPOSED RATES: Effective July 1, 2004, the proposed rates for Medicaid inpatient hospitals will be rates resulting from the current methodology used to calculate per diems rates including the following appropriations from the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 202 and 203.

1. \$47,497,222 is provided for special Medicaid payments to statutory teaching hospitals; family practice teaching hospitals; hospitals providing primary care to low-income individuals; hospitals operating as designated or provisional trauma centers; and rural hospitals. Statutory teaching hospitals that received a special Medicaid payment in State Fiscal Year 2003-04 shall be paid \$12,203,921 distributed in the same proportion as the State Fiscal Year 2003-04 special Medicaid payments to statutory teaching hospitals. Family practice teaching

hospitals shall be paid \$2,330,882 distributed equally between the hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program in state Fiscal Year 2003-04 shall be paid \$12,203,921 distributed in the same proportion as the Primary Care DSH payments for State Fiscal Year 2003-04. Hospitals designated as provisional trauma centers shall be paid \$12,375,000. Of this amount, \$5,355,000 shall be distributed equally between hospitals that are a Level I trauma center; \$4,500,000 shall be distributed equally between hospitals that are either a Level II or pediatric trauma center; and \$2,520,000 shall be distributed equally between hospitals that are both a Level II and pediatric trauma center. Of the amount payable to the Level I trauma centers, \$765,000 is reserved for Shands Teaching Hospital, upon their becoming a designated or provisional trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$8,383,500 distributed in the same proportion as the DSH payments.

2. \$2,116,857 is provided for special Medicaid payments to hospitals providing low-income individuals access to primary care clinics. Hospitals that participated in the Primary Care DSH program in State Fiscal Year 2003-04 and are currently receiving special Medicaid payments for primary care are not eligible to receive funds under this Section.

3. \$2,000,000 is provided for special Medicaid payments to specialty pediatric facilities. To qualify for a special Medicaid payment under this Section a hospital must be licensed as a children's specialty hospital and their combined Medicaid managed care and fee for service days as a percentage to total inpatient days equals or exceeds 30 percent. The agency shall use the 2002 Financial Hospital Uniform Reporting System (FHURS) data to determine the combined Medicaid managed care and fee-for-service days. The total special Medicaid payments made shall be distributed equally to the qualifying hospitals.

4. \$46,910,529 is provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equal or exceed 11 percent. The agency shall use the average of the 1998, 1999 and 2000 audited DSH data available as of March 1, 2004. In the event the agency does not have the prescribed three years of audited

DSH data for a hospital, the agency will use the average of the audited DSH data for 1998, 1999, and 2000 that are available.

5. \$19,477,766 is provided to eliminate the inpatient hospital reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceed 9.6 percent, and are trauma centers. The agency shall use the average of the 1998, 1999 and 2000 audited DSH data available as of March 1, 2004. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency will use the average of the audited DSH data for 1998, 1999 and 2000 that are available.

6. \$103,495,651 is provided to make special Medicaid payments to hospitals that serve as a safety net in providing emergency, specialized pediatric trauma services and inpatient hospital care to low-income individuals. These amounts shall be paid to the following:

Jackson Memorial Hospital	\$3,322,365
University Medical Center – Shands	\$44,418,270
All Children's Hospital	\$6,637,413
Shands Teaching Hospital	\$7,703,253
Tampa General Hospital	\$18,914,451
Orlando Regional Medical Center	\$5,560,262
Lee Memorial Hospital/CMS	\$950,000
St. Mary's Hospital	\$291,706
Miami Children's Hospital	\$5,400,000
Broward General Medical Center	\$330,366
Tallahassee Memorial Healthcare	\$54,402
St. Joseph's Hospital	\$52,835
Florida Hospital	\$55,072
Baptist Hospital of Pensacola	\$450,000
Mt. Sinai Medical Center	\$8,972,075
Bayfront Medical Center	\$215,975
Sacred Heart Hospital	\$166,977

7. \$406,672,080 is provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals

8. \$182,616,639 is provided to eliminate the inpatient reimbursement ceilings for teaching, specialty, Community Hospital Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the certificate of need program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation.

9. \$3,183,014 is provided to make special Medicaid payments to the hospitals. These payments may be used, in collaboration with the Department of Health, to provide funding for hospitals providing poison control programs.

10. Special Medicaid payments to reward hospitals enhancing medical education programs are discontinued.

11. \$7,299,270 is provided to make special Medicaid payments to hospitals. These payments may be used, in collaboration with the Department of Health, to provide funding for hospitals supporting primary care services in medically underserved areas.

12. Effective July 1, 2004 and all subsequent rate semesters, each inpatient rate shall be reduced by a proportionate percentage until an aggregate total estimated savings of \$69,662,000 is achieved on an annualized basis. In reducing hospital inpatient rates, rural hospitals and hospitals with twenty thousand (20,000) or more combined Medicaid managed care and fee-for-service inpatient days shall not have their inpatient rates reduced below the final rates that are effective on June 30, 2004. The 2002 Financial Hospital Uniform Reporting System (FHURS) data shall be used to determine the combined inpatient Medicaid days.

13. \$26,296,287 is payable to the following hospitals: Jackson Memorial Hospital – \$13,999,408; Broward General Medical Center – \$6,298,136; North Broward Medical Center – \$1,827,884; Coral Springs Medical Center – \$622,184; Imperial Point Hospital – \$756,557; and Memorial Regional Hospital – \$2,792,118. These funds are additional disproportionate share dollars provided through the Medicare Prescription Drug Act for Federal Fiscal Year 2004.

14. Cost reports submitted on or after July 1, 2004, must include the following statement immediately preceding the dated signature of the provider's administrator or chief financial officer: "I certify that I am familiar with the laws and regulations regarding the provision of health care services under the Florida Medicaid program, including the laws and regulations relating to claims for Medicaid reimbursements and payments, and that the services identified in this cost report were provided in compliance with such laws and regulations."

15. Cost reports beginning January 1, 2005 and later shall report all allowable direct and indirect graduate medical education (GME) costs within inpatient cost centers. No GME costs shall be reported in outpatient cost centers.

METHODOLOGIES: The methodology underlying the establishment of the proposed rates for Medicaid inpatient hospitals will be rates resulting from the revised methodology used to calculate per diems including the amounts appropriated in the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 202 and 203.

JUSTIFICATION: The justification for the proposed state plan amendment is the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 202 and 203.

The Agency is proposing the above rates and changes in reimbursement, effective July 1, 2004. Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the proposed rates, methodologies and justification underlying the establishment of such rates. Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308. Written comments should be submitted no later than July 16, 2004.

Copies of the proposed reimbursement plan incorporating the above changes are not available at this time. Please contact the person listed above for a copy of the Plan when available.

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for outpatient hospitals participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for outpatient hospitals, the Agency is publishing the proposed rates, the methodologies underlying the establishment of such rates, and justifications for the proposed rates. The Agency is in the process of amending its Title XIX Outpatient Hospital Reimbursement Plan (The Plan) to incorporate changes to the reimbursement methodology.

PROPOSED RATES: Effective July 1, 2004, the proposed rates for Medicaid outpatient hospitals will be rates resulting from the current methodology used to calculate per diems including appropriations from the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 206.

1. \$46,058,449 is provided to increase the outpatient cap for adults from \$1,000 to \$1,500 per year and to eliminate the outpatient reimbursement ceilings for teaching, specialty, Community Health Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the certificate of need program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation.
2. \$9,194,434 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total adjusted hospital days equals or exceeds 11 percent. The agency shall use the average of the 1998, 1999 and 2000 audited Disproportionate Share Hospital (DSH) data available as of March 1, 2004. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency will use the average of the audited DSH data for 1998, 1999 and 2000 that are available.
3. \$769,913 is provided to eliminate the outpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceed 9.6 percent, and are trauma centers. The agency shall use the average of the 1998, 1999 and 2000 audited DSH data available as of March 1, 2004. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency will use the average of the audited DSH data for 1998, 1999 and 2000 that are available.
4. \$8,383,500 is available for special Medicaid payments to rural hospitals under a Medicaid outpatient upper payment limit program. These payments are contingent on the agency obtaining approval from the Centers for Medicare and Medicaid Services of a Medicaid outpatient upper payment limit program.
5. Cost reports submitted on or after July 1, 2004, must include the following statement immediately preceding the dated signature of the provider's administrator or chief financial officer: "I certify that I am familiar with the laws and regulations regarding the provision of health care services under the Florida Medicaid program, including the laws and regulations relating to claims for Medicaid reimbursements and payments, and that the services identified in this cost report were provided in compliance with such laws and regulations."

6. Cost reports beginning January 1, 2005 and later shall not include any direct or indirect graduate medical education (GME) costs in any outpatient cost center. All GME costs are to be reported and/or allocated to inpatient cost centers.

7. Effective July 1, 2004 and all subsequent rate semesters, each outpatient rate shall be reduced by a proportionate percentage until an aggregate total estimated savings of \$14,103,000 is achieved on an annualized basis. In reducing hospital outpatient rates, rural hospitals and hospitals with twenty thousand (20,000) or more combined Medicaid managed care and fee-for-service inpatient days shall not have their outpatient rates reduced below the final rates that are effective on June 30, 2004. The 2002 Financial Hospital Uniform Reporting System (FHURS) data shall be used to determine the combined inpatient Medicaid days.

8. \$15,000,000 is appropriated so that the agency may amend its current rules and/or contracts regarding the billing of Medicaid outpatient clinic facility fees and physician services to allow for payments to public hospitals for the cost of providing health care services to Medicaid recipients, where the public hospital assumed the fiscal and operating responsibilities for one or more primary care centers previously operated by the Florida Department of Health or the local county government.

METHODOLOGIES: The methodology underlying the establishment of the proposed rates for Medicaid Outpatient Hospitals will be rates resulting from the current methodology used to calculate per diems including the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 206.

JUSTIFICATION: The justification for the proposed rate change is based on the legislative direction provided in 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 206.

The Agency is proposing the above rates and changes in methodology, effective July 1, 2004. Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the proposed rates, methodologies and justification underlying the establishment of such rates. Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308. Written comments should be submitted no later than July 16, 2004.

Copies of the proposed reimbursement plan incorporating the above changes are not available at this time. Please contact the person listed above for a copy of the Plan when available.

The Florida Agency for Health Care Administration (the Agency), Bureau of Medicaid Program Analysis provides the following public notice regarding reimbursement for Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not publicly owned and not publicly operated participating in the Florida Medicaid Program.

PURPOSE: To comply with federal public notice requirements in Section 1902(a)(13)(A) of the Social Security Act in changing reimbursement for ICFs not publicly owned and not publicly operated, the Agency is publishing the proposed rates, the methodologies underlying the establishment of such rates, and justifications for the proposed rates. The Agency is in the process of amending its Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not publicly owned and not publicly operated Reimbursement Plan (the Plan) to incorporate changes to the reimbursement methodology in accordance with the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 231.

PROPOSED RATES: Effective July 1, 2004, the proposed rates for Medicaid ICFs not publicly owned and not publicly operated will be rates resulting from the current methodology used to calculate per diem rates except for the following:

1. Effective July 1, 2004, individual rates shall be reduced proportionately by an estimated aggregate total of \$4,788,000 per state fiscal year. The full amount of the estimated reduction of \$4,788,000 shall be applied to the rates in effect from October 1, 2004 through June 30, 2005, then annually thereafter.
2. Cost reports submitted on or after July 1, 2004, must include the following statement immediately preceding the dated signature of the provider's administrator or chief financial officer: "I certify that I am familiar with the laws and regulations regarding the provision of health care services under the Florida Medicaid program, including the laws and regulations relating to claims for Medicaid reimbursements and payments, and that the services identified in this cost report were provided in compliance with such laws and regulations."
3. Change from "Health Care Financing Administration (HCFA)" to "Centers for Medicare and Medicaid Services (CMS)."

4. Updates to Code of Federal Regulation (CFR), Florida Administrative Code (FAC), and Florida Statute references.

5. Vacancy interim rates will be prohibited unless the bed(s) in question has been empty for at least 90 days (the waiting period), the facility has an occupancy rate of at least 95%, and the effected reimbursement rate is based upon patient days that included occupancy of the bed(s). The vacancy interim rate will not cover the 90-day waiting period.

6. The period between the exit conference from an audit and the date the cost report is deemed audited will be increased from 30 days to 60 days.

METHODOLOGIES: The methodology underlying the establishment of the proposed rates for ICFs not publicly owned and not publicly operated will be rates resulting from the revised methodology used to calculate reimbursement rates in accordance with in accordance with the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 231.

JUSTIFICATION: The justification for the proposed rate change is the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 231.

Providers, beneficiaries and their representatives, and other concerned State residents may provide written comment on the proposed rates, methodologies and justification underlying the establishment of such rates. Please provide written comments no later than July 16, 2004. Written comments may be submitted to: Robert Butler, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308.

Copies of the Proposed reimbursement plan incorporating the above changes may be obtained by contacting Robert Butler, Medicaid Program Analysis, at the address above when 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 JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted the second draft of a new policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/djj/djjservices/administration/policies_procedures/policyreview.shtml (please note new Website location).

Restorative Justice Implementation in Residential and Correctional Facilities (department-wide policy type B) – establishes that the restorative justice philosophy be an integral part of the program design of state and privately operated residential and correctional facilities. As such, the restorative justice philosophy shall impact the operations, practices and intervention strategies of residential programs within the Department of Juvenile Justice. This is the second of two – 20 working day review and comment periods. The closure date for submission of comments on this policy is July 16, 2004. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On June 8, 2004, John O. Agwunobi, M.D., M.B.A., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Ronald Nathanson, R.Ph., license number PS 22194. 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

Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation has received the following application. Comments may be submitted to the Deputy Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 9, 2004:

APPLICATION FOR A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: Anchor Commercial Bank, 13951 U.S. #1, Juno Beach, Florida 33408

Correspondent: Leslie E. Goodman, 916 Spyglass Lane, Naples, Florida 34102

Received: June 3, 2004

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN June 1, 2004
 and June 4, 2004**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

5F-2.001	6/1/04	6/21/04	30/16	
5F-2.014	6/1/04	6/21/04	30/16	
5F-3.001	6/1/04	6/21/04	30/16	
5F-5.001	6/1/04	6/21/04	30/16	
5F-6.001	6/1/04	6/21/04	30/16	
5F-7.005	6/1/04	6/21/04	30/16	

DEPARTMENT OF EDUCATION

State Board of Education

6A-4.00821	6/2/04	6/22/04	30/16	
------------	--------	---------	-------	--

DEPARTMENT OF CORRECTIONS

33-302.104	6/4/04	6/24/04	30/16	
------------	--------	---------	-------	--

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

60A-1.008	6/1/04	6/21/04	30/10	
60A-1.015	6/1/04	6/21/04	30/10	
60A-1.019	6/1/04	6/21/04	30/10	
60A-1.026	6/1/04	6/21/04	30/10	
60A-1.043	6/1/04	6/21/04	30/14	
60A-1.048	6/1/04	6/21/04	30/14	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums & Mobile Homes

61B-22.004	6/4/04	6/24/04	30/15	
61B-22.006	6/4/04	6/24/04	30/15	
61B-22.0062	6/4/04	6/24/04	30/15	
61B-50.101	6/4/04	6/24/04	30/12	
61B-50.105	6/4/04	6/24/04	30/12	
61B-50.106	6/4/04	6/24/04	30/12	
61B-50.107	6/4/04	6/24/04	30/12	
61B-50.108	6/4/04	6/24/04	30/12	
61B-50.110	6/4/04	6/24/04	30/12	
61B-50.112	6/4/04	6/24/04	30/12	
61B-50.115	6/4/04	6/24/04	30/12	
61B-50.117	6/4/04	6/24/04	30/12	
61B-50.119	6/4/04	6/24/04	30/12	
61B-50.120	6/4/04	6/24/04	30/12	
61B-50.124	6/4/04	6/24/04	30/12	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
61B-50.127	6/4/04	6/24/04	30/12	
61B-50.130	6/4/04	6/24/04	30/12	
61B-50.131	6/4/04	6/24/04	30/12	
61B-50.136	6/4/04	6/24/04	30/12	
61B-50.139	6/4/04	6/24/04	30/12	
61B-50.140	6/4/04	6/24/04	30/12	
61B-50.1405	6/4/04	6/24/04	30/12	

Construction Industry Licensing Board

61G4-15.001	6/3/04	6/23/04	30/6	30/19
-------------	--------	---------	------	-------

Board of Employee Leasing Companies

61G7-4.003	6/3/04	6/23/04	30/16	
61G7-6.001	6/3/04	6/23/04	30/16	
61G7-7.001	6/3/04	6/23/04	30/16	

Board of Funeral Directors and Embalmers

61G8-22.002	6/3/04	6/23/04	30/10	
-------------	--------	---------	-------	--

State Athletic Commission

61K1-1.003	6/1/04	6/21/04	30/6	30/19
61K1-1.004	6/1/04	6/21/04	30/6	30/19
61K1-1.0043	6/1/04	6/21/04	30/6	30/19
61K1-1.005	6/1/04	6/21/04	30/6	30/19
61K1-1.013	6/1/04	6/21/04	30/6	30/19
61K1-1.016	6/1/04	6/21/04	30/6	30/19

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-761.100	6/1/04	6/21/04	30/13	
62-761.200	6/1/04	6/21/04	30/13	
62-761.210	6/1/04	6/21/04	30/13	
62-761.300	6/1/04	6/21/04	30/13	
62-761.400	6/1/04	6/21/04	30/13	
62-761.450	6/1/04	6/21/04	30/13	
62-761.500	6/1/04	6/21/04	30/13	
62-761.510	6/1/04	6/21/04	30/13	
62-761.600	6/1/04	6/21/04	30/13	
62-761.610	6/1/04	6/21/04	30/13	
62-761.640	6/1/04	6/21/04	30/13	
62-761.700	6/1/04	6/21/04	30/13	
62-761.710	6/1/04	6/21/04	30/13	
62-761.800	6/1/04	6/21/04	30/13	
62-761.820	6/1/04	6/21/04	30/13	
62-761.850	6/1/04	6/21/04	30/13	
62-761.890	6/1/04	6/21/04	30/13	
62-761.900	6/1/04	6/21/04	30/13	
62-762.101	6/1/04	6/21/04	30/16	
62-762.201	6/1/04	6/21/04	30/16	
62-762.211	6/1/04	6/21/04	30/16	
62-762.301	6/1/04	6/21/04	30/16	
62-762.401	6/1/04	6/21/04	30/16	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-762.451	6/1/04	6/21/04	30/16		DEPARTMENT OF HEALTH Board of Dentistry 64B5-14.003 6/3/04 6/23/04 30/17 64B5-14.004 6/3/04 6/23/04 30/17 64B5-14.005 6/3/04 6/23/04 30/17 64B5-14.008 6/3/04 6/23/04 30/17 64B5-14.009 6/3/04 6/23/04 30/17				
62-762.501	6/1/04	6/21/04	30/16						
62-762.511	6/1/04	6/21/04	30/16						
62-762.601	6/1/04	6/21/04	30/16						
62-762.611	6/1/04	6/21/04	30/16						
62-762.641	6/1/04	6/21/04	30/16						
62-762.701	6/1/04	6/21/04	30/16						
62-762.711	6/1/04	6/21/04	30/16						
62-762.801	6/1/04	6/21/04	30/16						
62-762.821	6/1/04	6/21/04	30/16						
62-762.851	6/1/04	6/21/04	30/16						
62-762.891	6/1/04	6/21/04	30/16						